

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**GARY LEWIS MARSHALL,**            )  
  )  
                  **Petitioner,**                    )  
  )  
**vs.**    )  
  )  
**KENNETH JONES, and the**            )  
**ATTORNEY GENERAL of**            )  
**ALABAMA,**                                )  
  )  
                  **Respondents.**            )

**Civil Action 10-00496-KD-N**

**JUDGMENT**

In accordance with the order entered on this date, it is **ORDERED, ADJUDGED** and **DECREED** that defendant’s motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2254 be **DENIED** and **DISMISSED with prejudice**. Petitioner is not entitled to a certificate of appealability or to appeal in forma pauperis .

**DONE** this 11th day of March, 2011.

/s/ Kristi K. DuBose  
KRISTI K. DuBOSE  
UNITED STATES DISTRICT JUDGE