

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

<b>LAMAR McCOY,</b>	:	
<b>Petitioner,</b>	:	
<b>vs.</b>	:	<b>CIVIL ACTION 10-0666-CG-M</b>
<b>LOUIS BOYD,</b>	:	
<b>Respondent.</b>	:	

**ORDER**

After due and proper consideration of all pleadings in this file, and there having been no objections filed, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is adopted as the opinion of this Court.

It is **ORDERED** that this petition be **DENIED** and that this action be **DISMISSED** without prejudice.

**DONE and ORDERED** this 25th day of January, 2011.

/s/ Callie V. S. Granade \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE