

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

MICHAEL R. PARDUE,)	
)	
Petitioner,)	
)	
vs.)	CIVIL ACTION NO. 13-0131-CG-M
)	
CHERYL PRICE,)	
)	
Respondent.)	

ORDER

After due and proper consideration of all pleadings in this file, and a de novo determination of those portions of the Recommendation to which objection is made, 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 is **DENIED** and that this action is **DISMISSED** so that Petitioner can exhaust his state remedies. It is further **ORDERED** that any motion for certificate of appealability filed by Petitioner be **DENIED** as he is not entitled to appeal in forma pauperis.

DONE and ORDERED this 31st day of May, 2013.

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