

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

| | | |
|--------------------------|---|-------------------------------|
| KENNETH EVANS, #0300706, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| vs. |) | CIVIL ACTION NO. 13-0313-CG-C |
| |) | |
| NOAH OLIVER, |) | |
| |) | |
| Respondent. |) | |

JUDGMENT

In accordance with the order entered on this date, it is hereby **ORDERED**, **ADJUDGED**, and **DECREED** that petitioner’s habeas corpus petition, filed pursuant to 28 U.S.C. § 2241, be **DISMISSED WITHOUT PREJUDICE** due to his failure to exhaust all available state court remedies. Evans is not entitled to a certificate of appealability and, therefore, he is not entitled to appeal in forma pauperis.

DONE and ORDERED this 7th day of August, 2013.

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