

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

BRANDON MARQUIS PUGH,	:	
Petitioner,	:	
v.	:	CIVIL ACTION 13-0360-KD-M
KENNETH SCOUNGERS,	:	
Respondent.	:	

ORDER

After due and proper consideration of the issues raised, 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 be DENIED and that this action be DISMISSED so that Petitioner can exhaust his State remedies. It is further ORDERED that any certificate of appealability filed by Petitioner be DENIED as he is not entitled to appeal *in forma pauperis*.

DONE this 19th day of February, 2014.

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