

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

RAYMOND ROBERTS,	)	
#117244,	)	
	)	
Petitioner,	)	
	)	
vs.	)	CIVIL ACTION NO. 13-0485-CG-B
	)	
CARTER DAVENPORT,	)	
	)	
Respondent.	)	

**ORDER**

After due and proper consideration of all portions 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) and dated October 1, 2014, is **ADOPTED** as the opinion of this Court, with the following addition:

The Court also finds that the reason set forth in Footnote 4 at page 4 of the Report and Recommendation should also be a basis for the denial of the habeas petition, as the petitioner was no longer in custody under the conviction which his petition sought to attack.

**DONE and ORDERED** this 5th day of November, 2014.

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