

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

|                           |   |                                       |
|---------------------------|---|---------------------------------------|
| <b>LARYIE EARL JONES,</b> | ) |                                       |
| <b>Petitioner,</b>        | ) |                                       |
|                           | ) |                                       |
| <b>v.</b>                 | ) | <b>CIVIL ACTION NO. 13-00505-KD-N</b> |
|                           | ) |                                       |
| <b>WANDA LIGHTNER,</b>    | ) |                                       |
| <b>Respondent.</b>        | ) |                                       |

**ORDER**

After due and proper consideration of the issues raised, and a *de novo* determination of those portions of the Report and Recommendation (Doc. 11) to which objection (Doc. 12) is made, the Report and Recommendation (Doc. 11) of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated March 27, 2014 is **ADOPTED** as the opinion of this Court, **except for** the recommendation that dismissal be stated as being with prejudice. Rather, the Court will simply dismiss for lack of jurisdiction.

Accordingly, it is **ORDERED** that Petitioner's habeas corpus petition (Doc. 1) is **DISMISSED** for lack of jurisdiction and that Petitioner is not entitled to a certificate of appealability or to proceed *in forma pauperis* on appeal.

**DONE and ORDERED** this the **18<sup>th</sup>** day of **April 2014**.

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