

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

TOMMY STURDIVANT,)	
)	
Petitioner,)	
)	
vs.)	CIVIL ACTION 14-00034-CG-M
)	
CHRISTOPHER GORDY,)	
)	
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 and ORDERED this 14th day of July, 2014.

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