

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

CARL A. PERRY, JR.,
(AIS # 105161),

Petitioner,

v.

GARY HETZEL,

Respondent.

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CIVIL ACTION NO. 14-00044-KD-B

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that Perry’s petition be **DISMISSED with prejudice** and that Perry is not entitled to a certificate of appealability, and consequently, is not entitled to appeal *in forma pauperis*.

DONE this 30th day of May 2014.

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