

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

JOSEPH ASHLEY RIDER,	:	
	:	
Petitioner,	:	
	:	
vs.	:	CIVIL ACTION 14-0180-
CB-M	:	
	:	
JAMES MILTON,	:	
	:	
Respondent.	:	

ORDER

After due and proper consideration of the issues raised, and there having been no objections filed, 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 FOUND and ORDERED that Rider's claims arising out of his sexual misconduct conviction are time-barred under AEDPA and are DENIED; his claims arising out of his first CNA conviction are procedurally defaulted and are DENIED; and that the claims arising out of Rider's second CNA conviction are unexhausted in the State courts and are, therefore, DISMISSED so that he may pursue his available 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 5th day of September, 2014.

s/Charles R. Butler, Jr.

CHARLES R. BUTLER, JR.

SENIOR UNITED STATES DISTRICT JUDGE