

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

RICHARD DARON KENNEDY,
(AIS: #196984)
Petitioner,

vs.

**MOBILE, ALABAMA DISTRICT
ATTORNEY'S OFFICE, et al.,**

Respondent.

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CIVIL ACTION NO. 14-0195-WS-B

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the Report and Recommendation to which objection is made, 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. It is **ORDERED** that this action be **DISMISSED** as a successive petition under 28 U.S.C. § 2244(b)(3)(A) and that Kennedy is not entitled to a certificate of appealability, and consequently, is not entitled to appeal *in forma pauperis*.

DONE this 22nd day of May, 2014.

s/WILLIAM H. STEELE
CHIEF UNITED STATES DISTRICT JUDGE