

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

TODD JEFFREY GATES,)	
AIS #00275350,)	
)	
Petitioner,)	
)	
vs.)	CIVIL ACTION 15-0246-CG-N
)	
LEE POSEY DANIELS,)	
)	
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 Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B)-(C), Rule 8(b) of the Rules Governing § 2254 Cases in the United States District Courts, and S.D. Ala. GenLR 72(a)(2)(R), and dated February 17, 2016, is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that Petitioner Gates' superseding petition for habeas corpus relief under 28 U.S.C. § 2254 (Doc. 4) is **DENIED**, that this action is **DISMISSED with prejudice**, and that Gates is not entitled to a certificate of appealability or to appeal in forma pauperis.

DONE and ORDERED this 21st day of March, 2016.

/s/ Callie V. S. Granade

SENIOR UNITED STATES DISTRICT JUDGE