Lewis v. Mack Doc. 34

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

) CIVIL ACTION NO. 15-00273-CB-N
)

## **ORDER**

After due and proper consideration of the issues 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)-(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 May 31, 2016, is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** as follows:

- 1. Petitioner James Lewis's 28 U.S.C. § 2241 habeas petition (Doc. 1), his two motions for discovery (Docs. 19, 20), his motion for a trial by jury (Doc. 21), his motion to stay his state court criminal proceedings during the pendency of his present challenge to his extradition (Doc. 23), and his "Motion for Injunctive Relief and the Imposition of Sanctions" (Doc. 31) are **DENIED**;
- 2. this action is **DISMISSED with prejudice**, and judgment shall be separately entered in favor of the Respondent under Federal Rule of Civil Procedure 58; and

3.	the Court finds that Lewis not entitled to either a Certificate of Appealability
	or to appeal in forma pauperis.

**DONE** and **ORDERED** this the 7<sup>th</sup> day of July, 2016.

/s/Charles R. Butler, Jr.
SENIOR UNITED STATES DISTRICT JUDGE