

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

DAVID LEE FRANK,)	
Petitioner,)	
)	
v.)	CIVIL ACTION NO. 16-00362-WS-N
)	
NOAH PRICE OLIVER, <i>Warden,</i>)	
<i>Mobile County Metro Jail,</i>)	
Respondent.)	

JUDGMENT

In accordance with the Order entered on this date adopting the recommendations of the Magistrate Judge, it is **ORDERED, ADJUDGED, and DECREED** that **JUDGMENT** is entered in favor of the Respondent and against Petitioner David Lee Frank, that this action under 28 U.S.C. § 2254 is **DISMISSED** for lack of jurisdiction, and that Frank is not entitled to appeal *in forma pauperis*.

DONE and ORDERED this the 3rd day of November, 2016.

s/WILLIAM H. STEELE
CHIEF UNITED STATES DISTRICT JUDGE