

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

MICHAEL ANTONIO LIVINGSTON, :
AIS 229189, :

Petitioner, :

vs. :

CA 17-0106-KD-MU

WILLIAM STREETER, :

Respondent. :

ORDER

After due and proper consideration of all issues raised, and a *de novo* determination of those portions of the Report and Recommendation to which objection is made, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B), and dated October 27, 2017 (doc. 20), is **ADOPTED** as the opinion of this Court.

It is further **ORDERED** that Petitioner is not entitled to a certificate of appealability and he is not entitled to proceed *in forma pauperis* on appeal.

DONE this the 20th day of November 2017.

s/ Kristi K. DuBose
KRISTI K. DuBOSE
CHIEF UNITED STATES DISTRICT JUDGE