

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

TRACY HOWARD BESSELAAR,)
AIS # 00135043,)
 Petitioner,)

v.)

CIVIL ACTION NO. 17-00132-WS-N

JEFFERSON S. DUNN,)
Commissioner of the Alabama)
Department of Corrections,)
 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 Tracy Howard Besselaar, such that this action under 28 U.S.C. § 2254 is **DISMISSED without prejudice** for lack of subject matter jurisdiction, and that Besselaar is not entitled to a Certificate of Appealability or to appeal *in forma pauperis*.

DONE and ORDERED this the 4th day of May, 2017.

s/WILLIAM H. STEELE
UNITED STATES DISTRICT JUDGE