

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

JEFFERY HARRIS,
 Petitioner,

v.

WARDEN WILLIAMS, et al.,
 Respondents.

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CIVIL ACTION 1:19-00297-KD-MU

ORDER

After due and proper consideration of all portions of this file deemed relevant to 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) and dated December 9, 2021, is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that this action is **DISMISSED** because the Petitioner has procedurally defaulted any cognizable constitutional claim that he has asserted pursuant to *O'Sullivan v. Boerckel*. It is further **ORDERED** that the Petitioner is not entitled to a certificate of appealability and, therefore, he is not entitled to appeal *in forma pauperis*.

DONE and **ORDERED** this the **10th** day of **January 2022**.

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