

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

REGINALD BURRELL,)	
)	
Petitioner,)	
)	
vs.)	CIV. ACT. NO. 1:21-cv-25-TFM-B
)	
SHARON LANGHAM,)	
)	
Respondent.)	

MEMORANDUM OPINION AND ORDER

On April 15, 2022, the Magistrate Judge entered a Report and Recommendation which recommends that Reginald Burrell’s Petition for habeas corpus be denied, all the remaining motions be denied as moot, and a certificate of appealability be denied. *See* Doc. 45. Petitioner filed his objections on May 2, 2022 (Doc. 46), a petition for an evidentiary hearing (Doc. 47), another request for an evidentiary hearing (Doc. 48), a motion to vacate the magistrate judge’s order (Doc. 49), and a motion to present certified records in support of the petition (Doc. 50). The Court has reviewed all the subsequent pleadings and construed them as objections to consider along with the original objections.

Petitioner’s objections, though lengthy, make may of the same arguments that he previously made. He further argues that the Magistrate Judge is biased and misapplies the law and facts. While he acknowledges that the Magistrate Judge noted jurisdictional issues, he seems to rely upon his perspective that it is “fundamentally unfair.” He further argues that the state court essentially got it wrong. However, this does not offset the well-reasoned analysis of the Magistrate Judge’s Report and Recommendation regarding jurisdiction and the lack of federal claim.

Moreover, the Court finds that no hearing is necessary regarding this matter. Therefore Petitioner's objections are overruled.

Therefore, after due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the Report and Recommendation to which objection is made, the various objections are **OVERRULED** and the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of this Court. Accordingly, it is **ORDERED** that this action is **DISMISSED without prejudice** and all remaining motions are **DENIED as moot**. The Court also finds that Burrell is not entitled to a Certificate of Appealability and, consequently, is not entitled to appeal *in forma pauperis*.

DONE and ORDERED this 29th day of July, 2022.

/s/Terry F. Moorer
TERRY F. MOORER
UNITED STATES DISTRICT JUDGE