

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

BRANDON LEE BLANKINCHIP,

Petitioner,

vs.

PAUL BURCH,

Respondent.

)
)
)
)
)
)
)
)
)
)
)

Civil Action No. 24-00239-KD-B

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and no objections having been filed, the Report and Recommendation of the Magistrate Judge (Doc. 4) made under 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b), and S.D. Ala. GenLR72(c), and dated September 25, 2024, is ADOPTED as the opinion of this Court.

Accordingly, this action is **DISMISSED** without prejudice for failure to prosecute.

Petitioner is not entitled to a certificate of appealability. The Court also certifies that any appeal by Petitioner of this dismissal would be without merit and therefore not taken in good faith. Thus, Petitioner is not entitled to proceed *in forma pauperis* on appeal.

DONE and ORDERED this 26th day of November 2024.

s/ Kristi K. DuBose

KRISTI K. DuBOSE

UNITED STATES DISTRICT JUDGE

