

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

MICHAEL J. GREEN,	)	
	)	
<b>Petitioner,</b>	)	
	)	
v.	)	CIVIL ACTION NO. 2:09-0105-KD-N
	)	
CHERYL PRICE, <i>et al.</i> ,	)	
	)	
<b>Respondents.</b>	)	

**ORDER**

After due and proper consideration of all pleadings in this file, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636 and dated December 11, 2012, is **ADOPTED** as the opinion of this Court. Additionally, the Court finds that there is no basis for issuance of a Certificate of Appealability or for permission to appeal *in forma pauperis* in this case.

Accordingly, it is **ORDERED** that Petitioner’s Motion to Vacate, Set Aside or Correct Sentence Pursuant to 28 U.S.C. § 2255 is **DENIED**.

**DONE and ORDERED** this 11<sup>th</sup> day of **January 2013**.

/s/ Kristi K. DuBose  
**KRISTI K. DUBOSE**  
**UNITED STATES DISTRICT JUDGE**