

**In the United States District Court
For the Southern District of Georgia
Brunswick Division**

KHALIL TERRY,

Petitioner,

v.

J.V. FLOURNOY, Warden,

Respondent.

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CIVIL ACTION NO.: 2:17-cv-30

ORDER

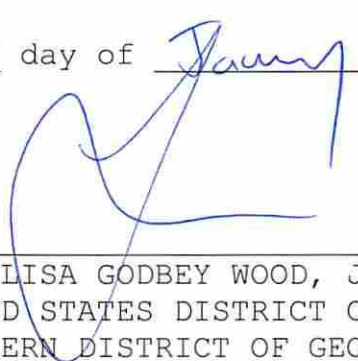
After an independent and *de novo* review of the record, the undersigned concurs with the Magistrate Judge's October 25, 2017 Report and Recommendation, dkt. no. 10, after which Petitioner Khalil Terry ("Terry") filed an Amended Petition, dkt. no. 11, and Objections, dkt. no. 12. Accordingly, the Court **OVERRULES** Terry's Objections and **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court.

Terry's Amended Section 2241 Petition and his Objections suffer from the same infirmity as his original Petition. Specifically, the contentions he makes do not satisfy the requirements of the 28 U.S.C. § 2255(e) "saving clause" in light of the Court of Appeals for the Eleventh Circuit's decision in McCarthan v. Dir. of Goodwill Indus.-Suncoast, Inc., 851 F.3d

1076, 1081 (11th Cir. 2017). Accordingly, the Court **GRANTS** Respondent's Motion to Dismiss, dkt. no. 7, **DISMISSES** Terry's Petition and Amended Petition for Writ of Habeas Corpus, brought pursuant to 28 U.S.C. § 2241, dkt. nos. 1, 11, and **DENIES** Terry leave to proceed *in forma pauperis* on appeal.

The Court **DIRECTS** the Clerk of Court to enter the appropriate judgment of dismissal and to **CLOSE** this case.

SO ORDERED, this 12 day of January, 2018.



HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA