

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

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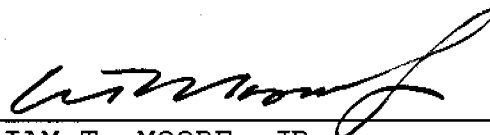
ELLIS ERIC EVANS,)
)
Petitioner)
)
v.)
)
UNITED STATES OF AMERICA,)
)
Respondent.)

CASE NO. CV410-292

O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation (Doc. 5), to which objections have been filed (Doc. 7). Petitioner is attempting to attack his sentence, which was imposed under a federal judgment, through 28 U.S.C. § 2241. After a careful de novo review, the Court concurs with the report and recommendation, which is **ADOPTED AS SUPPLEMENTED** and is the order of this Court. "[A] prior unsuccessful § 2255 motion is insufficient, in and of itself, to show the inadequacy or ineffectiveness of the [§ 2255] remedy." Kinder v. Purdy, 222 F.3d 209, 213 (5th Cir. 2000); accord Wofford v. Scott, 177 F.3d 1236, 1244-45 (11th Cir. 1999). The Court finds Petitioner's objections (Doc. 7) to be without merit. Accordingly, this Petition is **DISMISSED**, and the Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 19th day of January 2011.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA