

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

FILED  
U.S. DISTRICT COURT  
SAVANNAH, GA.  
2012 APR 13 AM 9:38

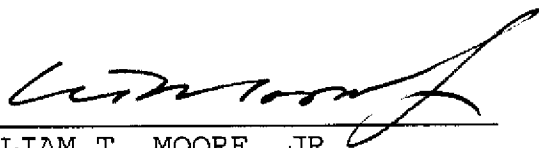
DAVID SUTHERLAND, )  
 )  
 Petitioner, )  
 )  
 v. ) CASE NO. CV411-107  
 )  
 YOLANDA RAWL, )  
 )  
 Respondent. )  
 )

CLERK   
SO. DIST. OF GA.

O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation (Doc. 24), to which objections have been filed (Doc. 27). After a careful de novo review of the record, the Court concludes that Petitioner's objections are without merit. Accordingly, the report and recommendation is **ADOPTED** as the Court's opinion in this case and Petitioner's 28 U.S.C. § 2254 Petition is **DENIED**. As noted in the report and recommendation, the Court declines to grant Petitioner a Certificate of Appealability, rendering moot any request for leave to appeal in forma pauperis. The Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 13<sup>th</sup> day of April 2012.

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