

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
MIDDLE DIVISION

DAVID P. WOOTEN,  
Petitioner,

v.

Case No. 4:24-cv-988-CLM-GMB

SCOTTY SHAFFER, et al.,  
Respondent.

**MEMORANDUM OPINION**

The magistrate judge has entered a report, recommending the court deny the petitioner's motion to stay proceedings (doc. 9) and dismiss this petition for writ of habeas corpus (doc. 1) with prejudice. (Doc. 10). No objections have been filed.

After considering the record, including the magistrate judge's report, the court **ADOPTS** the report and **ACCEPTS** the recommendation. Consistent with that recommendation, the court will deny the motion to stay proceedings (doc. 9) and dismiss the petition for writ of habeas corpus (doc. 1) with prejudice.

This court may issue a certificate of appealability "only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. 2253(c)(2). To make such a showing, a "petitioner must demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong," *Slack v. McDaniel*, 529 U.S. 473, 484 (2000), or that "the issues presented were adequate to deserve encouragement to proceed further." *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003) (internal quotations omitted). The court finds the petitioner's claims do not satisfy either standard. So the court will not issue a certificate of appealability.

The court will enter a separate final judgment that closes this case.

**Done and Ordered** on October 31, 2024.

A handwritten signature in cursive script, reading "Corey L. Maze", is written over a horizontal line.

**COREY L. MAZE**  
UNITED STATES DISTRICT JUDGE