

**UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ALABAMA, EASTERN DIVISION**

Barksdale v. McClain

Barksdale · No. 1:24-cv-1022-ACA-NAD · Decided December 5, 2025

SUMMARY

The United States District Court for the Northern District of Alabama adopted the magistrate judge's recommendation and dismissed Christopher Blake Barksdale's 28 U.S.C. § 2254 habeas petition without prejudice for failure to exhaust state court remedies. The court denied a certificate of appealability because the petition did not present issues debatable among reasonable jurists.

OPINION

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ALABAMA EASTERN DIVISION CHRISTOPHER BLAKE) BARKSDALE,)) Petitioner,)) Case No. 1:24-cv-1022-ACA-NAD v.)) ANTONIO MCCLAIN, Warden,)) Respondent. MEMORANDUM OPINION
The magistrate judge entered a report in which he recommended that the court dismiss Christopher Blake Barksdale's petition, filed pursuant to 28 U.S.C. § 2254, as unexhausted.

(Doc. 13). The magistrate judge notified the parties of their right to file specific written objections within fourteen days (*id.* at 8–9), but that time expired without the court receiving any objections. After careful consideration of the record in this case and the magistrate judge's report, the court **ADOPTS** the report and **ACCEPTS** the recommendation.

Accordingly, the court will **DISMISS** this petition for writ of habeas corpus **WITHOUT PREJUDICE** to allow Mr. Barksdale to exhaust his state court remedies. Because the petition does not present issues that are debatable among reasonable jurists, a certificate of appealability is denied. See 28 U.S.C. § 2253(c); *Slack v. McDaniel*, 529 U.S. 473, 484–85 (2000). **DONE** and **ORDERED** this December 5, 20235.

ANNEMARIE CARNEY AXON UNITED STATES DISTRICT JUDGE