



ORDERED that the Petitioner's motion for voluntary dismissal of his petition is GRANTED and the Report of the Magistrate Judge is ADOPTED as the opinion of the District Court insofar as it recommends that the petition be dismissed without prejudice. Finally, it is

ORDERED that any and all motions which may be pending in this action are hereby DENIED.

**SIGNED this 7th day of December, 2009.**

A handwritten signature in black ink, reading "Michael H. Schneider". The signature is written in a cursive style with a horizontal line underneath it.

MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE