

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

ROBERT PHILLIPS,)	
)	
Petitioner)	
)	
vs.)	Case No. 1:17-cv-00780-MHH-HNJ
)	
UNITED STATES OF AMERICA,)	
)	
Respondent)	

MEMORANDUM OPINION

On February 6, 2018, the magistrate judge entered a report in which he recommended that the Court dismiss this 28 U.S.C. § 2241 habeas action as moot because petitioner Robert Phillips “has served all prison time imposed for his federal conviction, has been released from Bureau of Prisons custody, and is no longer subject to a term of supervised release.” (Doc. 17, p. 2). The magistrate judge advised the parties of their right to file objections to the report and recommendation within 14 days. (Doc. 17, pp. 4-5). To date, no party has filed objections to the magistrate judge’s report and recommendation.


A district court “may accept, reject, or modify, in whole or part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). A district court reviews legal conclusions in a report de novo and reviews for plain

error factual findings to which no objection is made. *Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993); *see also LoConte v. Dugger*, 847 F.2d 745, 749 (11th Cir. 1988); *Macort v. Prem, Inc.*, 208 Fed. Appx. 781, 784 (11th Cir. 2006).

Having reviewed and considered all the materials in the Court file, the Court finds no misstatements of law in the report and no plain error in the magistrate judge's description of the relevant facts. Therefore, the Court adopts the magistrate judge's report and accepts his recommendation.

The Court will enter a separate final order dismissing this action as moot.

DONE and **ORDERED** this February 28, 2018.



MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE