

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

RAPHAEL ONIYAMA, }
Petitioner, }
v. } Case No.: 4:12-cv-02523-RDP-TMP
ERIC H. HOLDER, JR., }
ATTORNEY GENERAL, *et al.*, }
Respondents. }

ORDER

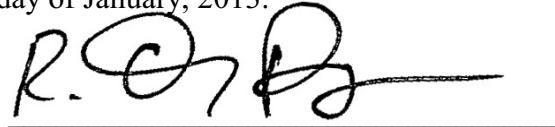
The Magistrate Judge filed a Report and Recommendation (Doc. #6) on December 6, 2012, recommending that Petitioner's Petition for Writ of Habeas Corpus (Doc. #1) be dismissed as moot. In particular, the Magistrate Judge found that because Petitioner was released on an order of supervision on August 2, 2012, he had received the relief sought. (Doc. #6). Therefore, no case or controversy exists between the parties. (Doc. #6).

Having now carefully reviewed and considered *de novo* all of the materials in the court file,¹ including the Report and Recommendation, the court is of the opinion that the Report is due to be, and hereby is, **ADOPTED**, and the Recommendation is **ACCEPTED**. Accordingly, it is hereby **ORDERED, ADJUDGED and DECREED** that Petitioner's Petition for Writ of Habeas Corpus (Doc. #1) is hereby **DISMISSED as MOOT**.

¹ The court notes that it was not required to conduct an independent review of the Report and Recommendation in this case because no party has filed objections. Fed. R. Civ. P. 72(b); *Thomas v. Arn*, 474 U.S. 140, 150 (1985) ("It does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings."). Nonetheless, the court has carefully reviewed the Magistrate Judge's Report and agrees with his conclusions.

The Clerk of Court is **DIRECTED** to mail a copy of this order to Petitioner at his most recent known address and to serve a copy upon the U.S. Attorney for the Northern District of Alabama.

DONE and **ORDERED** this 3rd day of January, 2013.



R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE