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

| WOIWER FREDERICK JR. KABAY, |) |
|-----------------------------|---------------------------------|
| Petitioner, |)) |
| VS. |) Case No. 4:15-cv-1752-KOB-TMP |
| LORETTA LYNCH, et al., |)) |
| Respondents. |) |

MEMORANDUM OPINION

The magistrate judge filed his report and recommendation on December 2, 2015, recommending dismissal of petitioner's 28 U.S.C. § 2241 petition for *habeas corpus* relief. (Doc. 8). No party filed any objections to the report and recommendation. The copy of the report and recommendation sent to the petitioner was returned as undeliverable, marked "Rel[eased] 11-5-15." (Doc. 9). Having now carefully considered *de novo* all the materials in the court file, including the report and recommendation, the court is of the opinion that the magistrate judge's report is due to be ADOPTED and the recommendation ACCEPTED.

The court ORDERS that the petition for *habeas corpus* relief filed pursuant to 28 U.S.C. § 2241 in the above-styled cause is DENIED and DISMISSED as MOOT.

DONE and ORDERED this 22nd day of December, 2015.

KARON OWEN BOWDRE

CHIEF UNITED STATES DISTRICT JUDGE