

**MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

MARIO RENE VEGA

v. *KATRINA S. KANE, et al.*

THE HONORABLE JOHN W. SEDWICK

CASE NO. 2:07-cv-02255-JWS-JRI

PROCEEDINGS: **ORDER FROM CHAMBERS**

Date: April 14, 2009

Mario Rene Vega filed a petition pursuant to 28 U.S.C. § 2241. The matter was briefed, and at docket 26, the magistrate judge recommended that the petition be granted. However, before this court completed its review of the recommendation, respondents filed a suggestion of mootness on the grounds that petitioner had been released.

In addition to the above concern, the petitioner has not been keeping the court apprised of his address. Petitioner has been reminded twice of his obligation to keep his address current, but he has failed to do so. In a report at docket 34, the magistrate judge now recommends that the petition be dismissed without prejudice for failure to prosecute. The time for objections has run. None have been filed. This court reviews all recommended findings of law from the magistrate judge *de novo* and all recommended findings of fact as to which no objection is taken for clear error. Having applied that standard, this court concludes that the recommendation at docket 34 is in all respects correct and adopts the same. Based thereon, the petition is hereby **DISMISSED** without prejudice.

This court's need to review the earlier recommendation at docket 26 has been rendered moot. Similarly, the motion at docket 25 is hereby denied as moot.

The Clerk will please close this case.
