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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

MURRAY ALLEN WOODWORTH,)
)
Petitioner,)
)
vs.)
)
WARDEN APKER,)
)
Respondent.)
_____)

No. CIV 10-520-TUC-CKJ

ORDER

Pending before the Court is Petitioner’s Amended Petition under 28 U.S.C. § 2241 for a Writ of Habeas Corpus by a Person in Federal Custody. Also pending before the Court is Petitioner's Request of the Court to Comply with 28 U.S.C. 2243 (Doc. 20).

On June 17, 2011, Magistrate Judge Bernardo P. Velasco issued a Report and Recommendation (Doc. 21) in which he recommended the Amended Petition under 28 U.S.C. § 2241 for a Writ of Habeas Corpus by a Person in Federal Custody be dismissed for failure to exhaust administrative remedies; alternatively, the magistrate judge recommends the Amended Petition be denied on the merits. The magistrate judge also recommends the Request of the Court to Comply with 28 U.S.C. 2243 be denied. The magistrate judge advised the parties that any written objections were to be served and filed within 14 days of being served with a copy of the Report and Recommendation. No objections to the Report and Recommendation have been filed.

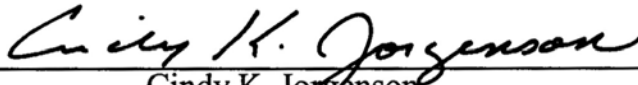
After an independent review, the Court finds dismissal for failure to exhaust administrative remedies is appropriate.

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Accordingly, IT IS ORDERED:

1. The Report and Recommendation (Doc. 21) is ADOPTED.
2. The Amended Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 is DISMISSED for failure to exhaust administrative remedies.
3. The Request of the Court to Comply with 28 U.S.C. 2243 (Doc. 20) is DENIED.
4. The Clerk of the Court shall enter judgment and shall then close its file in this matter.

DATED this 5th day of August, 2011.



Cindy K. Jorgenson
United States District Judge