

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Case No. 09-cv-02420-LTB-BNB

JAMES SABATINO,

Applicant,

v.

WARDEN BLAKE DAVIS, ADX,

Respondent.

ORDER

This case is before me on the Recommendation of the Magistrate Judge that the Order to Show Cause (Doc 11) why the Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 (Doc 3) should be discharged and the application denied. The Recommendation was issued and served on February 23, 2010. Applicant has filed timely written objections to the Recommendation. I have therefore reviewed the Recommendation *de novo* in light of the file and record in this case. On *de novo* review, I conclude that the Recommendation is correct. Accordingly

IT IS ORDERED that the Order to Show Cause (Doc 11) why the Application for a Write of Habeas Corpus Pursuant to 28 U.S.C. § 2241 (Doc 3) is discharged and the Application is DENIED.

BY THE COURT:

s/Lewis T. Babcock
Lewis T. Babcock, Judge

DATED: March 15, 2010