LAUGHLIN v. MCNEIL Doc. 23

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

JAMES LAUGHLIN,

Petitioner,

v. CASE NO. 1:08-cv-00111-MP-AK

WALTER McNEIL,

Respondent.
_____/

O R D E R

This matter is before the Court on Doc. 22, Report and Recommendation of the Magistrate Judge, which recommends that the instant petition be dismissed with prejudice, because no further case or controversy exists. The Magistrate also recommends in the Report that Respondent's Motion to Dismiss, Doc. 18, be denied as moot. The Magistrate filed the Report on Thursday, January 15, 2009. Petitioner has not filed an objection to the Report, and the time to do so has passed. Upon consideration, the Court agrees with the Magistrate that the instant petition should be dismissed. Accordingly, it is hereby

ORDERED AND ADJUDGED:

The Report and Recommendation of the Magistrate Judge, Doc.22, is ADOPTED and incorporated herein. Petitioner's 28 U.S.C. § 2254 petition for writ of habeas corpus, Doc. 1, is DISMISSED with prejudice, Respondent's Motion to Dismiss, Doc. 18, is DENIED as moot, and the Clerk is directed to close the file.

DONE AND ORDERED this *17th* day of February, 2009

s/Maurice M. Paul
Maurice M. Paul, Senior District Judge

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