

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

AARONEY REED,
Petitioner,

vs.

3:09cv552/LAC/MD

UNITED STATES DISTRICT COURT,
Respondent.

ORDER

Upon consideration of the Report and Recommendation of the Magistrate Judge filed on December 18, 2009, pursuant to 28 U.S.C. § 636(b)(1)(B), and no objections to the Recommendation having been filed, the Recommendation is adopted as the opinion of the Court.

Accordingly, it is now ORDERED as follows:

1. The petitioner's § 2241 petition (doc. 1) is recharacterized as a motion to vacate, set aside, or correct a sentence pursuant to 28 U.S.C. § 2255.
2. The clerk's office is directed to file, in petitioner's federal criminal case (case number 3:08cr20/MCR), a copy of the following: the construed § 2255 motion (petitioner's habeas petition) (doc. 1), the Magistrate Judge's Report and Recommendation dated December 18, 2009, and this Order adopting.
3. All further proceedings are filed and maintained in the criminal case file (case number 3:08cr20/MCR); however, all pleadings contain both the criminal and civil case numbers.

DONE AND ORDERED this 4th day of February, 2010.

s/L.A. Collier

LACEY A. COLLIER
SENIOR UNITED STATES DISTRICT JUDGE