

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

WILLIE ST. VICTOR,
ALIEN # A77-846-716,

Petitioner,

vs.

CASE NO. 4:08cv185-SPM/WCS

MICHAEL B. MUKASEY, et al.,

Respondents.

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ORDER

THIS CAUSE comes before the court on the magistrate judge's report and recommendation dated October 9, 2008 (doc. 17). The parties have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). No objections have been filed. Having considered the report and recommendation, I have determined that the report and recommendation should be adopted. Accordingly, it is hereby ORDERED as follows:

1. The magistrate judge's report and recommendation (doc. 17) is ADOPTED and incorporated by reference in this order.
2. The petition for writ of habeas corpus (doc. 1) is granted.

3. Respondents shall release Petitioner from custody under such terms and conditions deemed necessary to ensure they are informed of Petitioner's whereabouts pending his removal and in compliance with the requirements of 8 U.S.C. § 1231(a)(3).

DONE AND ORDERED this 12th day of November, 2008.

s/ Stephan P. Mickle

Stephan P. Mickle
United States District Judge