

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

MARCELLIN JEAN,

Petitioner,

v.

CASE NO. 4:11cv392-RH/WCS

ERIC H. HOLER, JR. et al.,

Respondents.

_____ /

ORDER DISMISSING THE PETITION AS MOOT

This case is before the court on the magistrate judge's report and recommendation, ECF No. 10. No objections have been filed. Upon consideration,

IT IS ORDERED:

The report and recommendation is ACCEPTED and adopted as the court's opinion. The clerk must enter judgment stating, "The petition is dismissed as moot." The clerk must close the file.

SO ORDERED on November 1, 2011.

Robert L. Hinkle _____
United States District Judge