

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

CARLTON WAYNE SMITH,

Petitioner,

v.

4:14cv404-WS

UNITED STATES OF AMERICA,
U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT, MIAMI DIVISION,

Respondents.

ORDER DISMISSING PETITIONER'S
PETITION FOR WRIT OF HABEAS CORPUS

Before the court is the magistrate judge's report and recommendation docketed September 19, 2014. See Doc. 5. The magistrate judge recommends that the petitioner's petition for writ of habeas corpus be dismissed for lack of jurisdiction. No objections to the report and recommendation have been filed.

Having considered the report and recommendation, this court has determined that the report and recommendation should be adopted.

Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation is ADOPTED and

incorporated by reference into this order of the court.

2. The petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 (doc. 1) is hereby DISMISSED for lack of jurisdiction.

3. The clerk is directed to enter judgment stating: "All claims are DISMISSED for lack of jurisdiction."

DONE AND ORDERED this 22nd day of October, 2014.

s/ William Stafford
WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT JUDGE