

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

**EMILIEN PHANOL,
A# 200-353-002,**

Petitioner,

v.

Case No. 4:16cv615-MW/CAS

LORETTA LYNCH, et al.,

Respondents.

**ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION**

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation. ECF No. 5. Upon consideration, no objections having been filed by the parties,¹

IT IS ORDERED:

The report and recommendation is **accepted and adopted** as this Court's opinion. The Clerk shall enter judgment stating, "The motion to reopen and request for stay of deportation, construed as a § 2241 habeas petition, and the motion for post-conviction relief, ECF No. 3, are **DENIED** for lack of jurisdiction,

¹ This Court notes Petitioner has failed to keep the Clerk advised of his current address.

and this case is **DISMISSED.**” The Clerk shall close the file.

SO ORDERED on January 13, 2017.

s/Mark E. Walker
United States District Judge