

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

PATRICK SILFRAIN,
Petitioner,

vs.

Case No. 5:09cv228/RH/EMT

C. EIECHENLAUB,
Respondent.

REPORT AND RECOMMENDATION

This matter is before the court on Petitioner's "Motion to Withdraw § 2241 Motion Without Prejudice" (Doc. 16). Respondent has filed a response to the motion indicating he has no objection to such dismissal (Doc. 18).

Accordingly, it is respectfully **RECOMMENDED**:

That Petitioner's "Motion to Withdraw § 2241 Motion Without Prejudice" (Doc. 16) be **GRANTED** and this action dismissed without prejudice.

At Pensacola, Florida, this 2nd day of October 2009.

/s/ Elizabeth M. Timothy

ELIZABETH M. TIMOTHY
UNITED STATES MAGISTRATE JUDGE

NOTICE TO THE PARTIES

Objections to these proposed findings and recommendations may be filed within ten (10) days after being served a copy thereof. Any different deadline that may appear on the electronic docket is for the court's internal use only. A copy of objections shall be served upon the magistrate judge and all other parties. Failure to object may limit the scope of appellate review of factual findings. See 28 U.S.C. § 636; United States v. Roberts, 858 F.2d 698, 701 (11th Cir. 1988).