

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

**JACK MARSHALL PORTER,**

**Petitioner,**

**v.**

**CASE NO. 5:12-cv-354-RS-GRJ**

**UNITED STATES OF AMERICA,**

**Respondent.**

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**ORDER**

Before me is the magistrate judge's Report and Recommendation (Doc. 10). No objections have been filed and the Report and Recommendation was returned as undeliverable because Petitioner was released from custody in December of 2012.

**IT IS ORDERED:**

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
2. Petitioner's first amended petition for writ of habeas corpus filed under 28 U.S.C. § 2241 (Doc. 5) is **DISMISSED as moot**.
3. The Clerk is directed to close the case.

**ORDERED** on July 25, 2013.

**/s/ Richard Smoak  
RICHARD SMOAK  
UNITED STATES DISTRICT JUDGE**