

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 09-61159-CIV-DIMITROULEAS

DONNIE JACKSON,
aka Benyah Shalom Yisrael,

Petitioner,

vs.

DEPARTMENT OF CORRECTION, et al.,

Respondent.

ORDER ADOPTING REPORT OF MAGISTRATE JUDGE

THIS CAUSE is before the Court upon the Motion of Mandamus Order [DE-33] and the Report of Magistrate Judge Patrick A. White, dated June 30, 2010 [DE-34]. The Court notes that no objections to the Report have been filed, and the time for filing such objections has passed. As no timely objections were filed, the Magistrate Judge's factual findings in the Report are hereby adopted and deemed incorporated into this opinion. LoConte v. Dugger, 847 F.2d 745, 749-50 (11th Cir. 1988), cert. denied, 488 U.S. 958 (1988); RTC v. Hallmark Builders, Inc., 996 F.2d 1144, 1149 (11th Cir. 1993).

Although no timely objections were filed, the Court has conducted a *de novo* review of the Report and record and is otherwise fully advised in the premises. The Court agrees with the Magistrate's conclusion that any violations at the institution at issue must be addressed through the grievance procedures available at the institution and the courts in the Northern District of Florida. The Court therefore agrees that the Motion of Mandamus Order [DE-33] should be dismissed so that Petitioner can file in the proper venue, only after attempting to resolve these issues within the institution in which he is confined.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The Report of Magistrate Judge Patrick A. White, dated June 30, 2010 [DE-34] is hereby **ADOPTED** and **APPROVED**;
2. The Motion of Mandamus Order [DE-33] is hereby **DENIED**;

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this

20th day of July, 2010.


WILLIAM P. DIMITROULEAS
United States District Judge

Copies furnished to:

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Hon. Patrick A. White
U.S. Maj. Judge