

United States District Court
for the
Southern District of Florida

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| Alvin Thomas, Petitioner, |) | |
| v. |) | Civil Action No. 18-22064-Civ-Scola |
| Warden Gio Ramirez, Respondent. |) | |

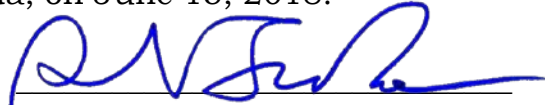
Order Adopting Magistrate Judge’s Report And Recommendation

This case was referred to United States Magistrate Judge Patrick A. White, consistent with Administrative Order 2003-19 of this Court, for a ruling on all pre-trial, nondispositive matters and for a report and recommendation on any dispositive matters. On May 30, 2018, Judge White issued a report, recommending that the Court dismiss Petitioner Alvin Thomas’s petition for writ of habeas corpus under 28 U.S.C. § 2241. (Report of Magistrate, ECF No. 5.) Thomas has timely filed objections to Judge White’s report and recommendations (Pet.’s Objs., ECF No. 8).

The Court has considered—de novo—Judge White’s report, the record (including Thomas’s objections and the exhibits attached thereto), and the relevant legal authorities. The Court finds Judge White’s report and recommendation cogent and compelling. Thomas complains about the Bureau of Prison’s placing him in “refusal status” with respect to his non-compliance with the Bureau’s Inmate Financial Responsibility Program. Judge White has correctly determined that Thomas is not entitled to relief. To begin with, Thomas has not exhausted his administrative remedies; nor has he established a futility exception to the exhaustion requirement. Furthermore, even if Thomas’s petition was not due to be dismissed on exhaustion grounds, his claim, as set forth by Judge White, would nonetheless fail on its merits.

The Court thus **affirms and adopts** Judge White’s report and recommendation to **dismiss (ECF No. 5)** Thomas’s petition (ECF No. 1). Finally, the Court directs the Clerk to close this case and deny any pending motions as moot.

Done and ordered, at Miami, Florida, on June 15, 2018.



Robert N. Scola, Jr.

United States District Judge