

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

ALEX TIVIAS GREEN,

Petitioner,

v.

CHRISTOPHER RAILEY,

Respondent.

Case No. 1:09-CV-142 (WLS)

ORDER

Before the Court is a Report and Recommendation from United States Magistrate Judge Thomas Q. Langstaff filed June 18, 2010. (Doc. 12). It is recommended that Respondent's Motion to Dismiss Petition for Lack of Exhaustion (Doc. 8) be GRANTED. No objection has been filed to date.

Upon full review and consideration of the record, the Court finds that said Report and Recommendation (Doc. 12) should be, and hereby is, **ACCEPTED, ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly, Respondent's Motion to Dismiss Petition for Lack of Exhaustion (Doc. 8) is **GRANTED**.

SO ORDERED, this 21st day of July, 2010.

/s/ W. Louis Sands
**THE HONORABLE W. LOUIS SANDS,
UNITED STATES DISTRICT COURT**