

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

DOMINIQUE LANE,	)	
	)	
Petitioner,	)	
	)	
v.	)	CV 109-118
	)	
CLAY TATUM, Warden,	)	
	)	
Respondent.	)	


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**ORDER**

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After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Petitioner's motion to proceed *in forma pauperis* is deemed **MOOT**, this case filed pursuant to 28 U.S.C. § 2254 is **DISMISSED** without prejudice, and this civil action is **CLOSED**.

SO ORDERED this 4<sup>th</sup> day of December, 2009, at Augusta, Georgia.

  
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 J. RANDAL HALL  
 UNITED STATES DISTRICT JUDGE