

FILED
U.S. DISTRICT COURT
BRUNSWICK DIV.

2011 NOV 20 PM 2:03
IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION
CLERK *[Signature]*
SO. DIST. OF GA.

ESTEBAN RIVERA-LEBRON,

Petitioner,

v.

ANTHONY HAYNES, Warden;
FEDERAL BUREAU OF PRISONS,
and UNITED STATES ATTORNEY
GENERAL'S OFFICE,

Respondents.

CIVIL ACTION NO.: CV211-073

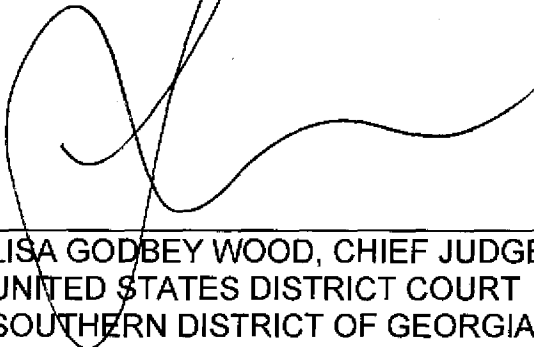
ORDER

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, to which Objections have been filed. In his Objections, Petitioner Esteban Rivera-Lebron ("Petitioner") asserts that the United States Attorney should not have been served with his petition, as the Magistrate Judge concluded that the United States Attorney is an improper respondent. Petitioner also asserts that he did not receive notice from the Government during his criminal prosecution that it was seeking a sentence enhancement based on his status as a career offender.

Petitioner's Objections are without merit and are **overruled**. The Magistrate Judge's Report and Recommendation is adopted as the opinion of the Court. Respondents' Motion to Dismiss is **GRANTED**. Petitioner's petition, filed pursuant to 28

U.S.C. § 2241, is **DISMISSED**. The Clerk of Court is directed to enter the appropriate judgment of dismissal.

SO ORDERED, this 30 day of November, 2011.



LISA GODBEY WOOD, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA