

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

FILED  
U.S. DISTRICT COURT  
AUGUSTA, GA.

2009 OCT -6 AM 10:12

DUBLIN DIVISION

CLERK: *Atogua*  
S.D. DIST. OF GA.

RAFAEL FULGENGIO, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 WALT WELLS, Warden; MCRAE )  
 CORRECTIONAL FACILITY; HARLEY )  
 LAPIN, Director of Bureau of Prisons; and )  
 BUREAU OF PRISONS, )  
 )  
 Respondents. )

CV 309-026

**ORDER**

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, Respondents McRae Correctional Facility, Harley Lappin, and the Bureau of Prisons are **DISMISSED** from this action, the petition filed pursuant to 28 U.S.C. § 2241 is **DISMISSED**, and this civil action is **CLOSED**.

SO ORDERED this 6th day of Oct., 2009, at Augusta, Georgia.

*[Signature]*  
UNITED STATES DISTRICT JUDGE