

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

FILED  
U.S. DISTRICT COURT  
AUGUSTA DIV.  
2011 JUL 22 P 1:36

DUBLIN DIVISION

CLERK *B. C. Carter*  
SO. DIST. OF GA.

GERALD CINEUS,

Petitioner,

v.

JANET NEPOLITANO, et al.,

Respondents.

CV 310-103

**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 Holder and Aguilar are **DISMISSED** as parties to the instant action. The motion to dismiss filed by Respondent Wells and the first motion to dismiss filed by the remaining Respondents are **GRANTED**. (Doc. nos. 3, 10.) The second motion to dismiss and the motion to dismiss for lack of prosecution are **DENIED** as **MOOT**. (Doc. nos. 12-1, 12-2.) The instant petition filed pursuant to 28 U.S.C. § 2241 shall be **DISMISSED**, and this action shall be **CLOSED**.

SO ORDERED this 22 day of July, 2011, at Augusta, Georgia.

*[Signature]*  
UNITED STATES DISTRICT JUDGE