

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

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

JUN - 1 2015

CLERK B. West
SO. DIST. OF GA

MICHAEL LAVON BOSTIC,)
)
Petitioner,)
)
v.)
)
UNITED STATES OF AMERICA,)
)
Respondent.)
_____)

CASE NO. CV415-107

O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation (Doc. 2), to which objections have been filed (Doc. 4). After a careful de novo review of the record, the Court concludes that Petitioner's objections are without merit. This case presents no extraordinary circumstances to warrant entertaining a habeas petition prior to the conclusion of Petitioner's direct appeal. See United States v. Casaran-Rivas, 311 F. App'x 269, 273 (11th Cir. 2009). Accordingly, the report and recommendation is **ADOPTED** as the Court's opinion in this case. As a result, Petitioner's 28 U.S.C. § 2255 Petition is **DISMISSED**.

The Clerk of Court is **DIRECTED** to file Petitioner's Motion to Appeal (Doc. 1 at 5) as a notice of appeal in his criminal case, 4:13-cr-007. The effective filing date of the notice shall be the date he filed the motion in this

case, April 27, 2015. Additionally, the Clerk of Court is **DIRECTED** to notify counsel in Petitioner's criminal case that a notice of appeal has been filed on Petitioner's behalf and provide counsel with a copy of this order. Counsel is reminded of his continuing obligation to represent Petitioner during the pendency of any appeal in Petitioner's criminal case until and unless relieved by order of the Eleventh Circuit Court of Appeals. The Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 15th day of June 2015.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA