

FILED
U.S. DISTRICT COURT
BRUNSWICK DIV.
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SO. DIST. OF GA.

**In the United States District Court
For the Southern District of Georgia
Waycross Division**

EUGENIO DIAZ NOGUES,

Petitioner,

v.

PATRICK GARTLAND,

Respondent.

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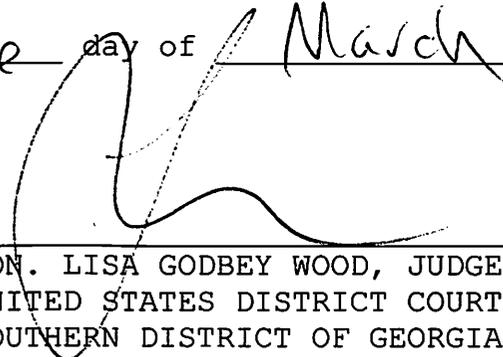
CIVIL ACTION NO.: 5:17-cv-135

ORDER

Presently before the Court is the Magistrate Judge's January 22, 2018, Report and Recommendation, dkt. no. 11, to which Petitioner Eugenio Diaz Nogues ("Nogues") failed to file Objections. After an independent and *de novo* review of the entire record, the Court **CONCURS** with the Magistrate Judge and **ADOPTS** the Report and Recommendation as the opinion of the Court. Consequently, the Court **DISMISSES without prejudice** Nogues's Petition for Writ of Habeas Corpus, filed pursuant to 28 U.S.C. § 2241, dkt. no. 1, and **DENIES** Nogues leave to appeal *in forma pauperis*.

The Court **DIRECTS** the Clerk of Court to enter the appropriate judgment of dismissal and to **CLOSE** this case.

SO ORDERED, this 6 day of March , 2018.



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