

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

HAROLD DORVIL,

Petitioner,

v.

No. 3:11-cv-00408-DRH

LISA HOLLINGSWORTH,

Respondent.

ORDER

HERNDON, Chief Judge:

On March 31, 2011, Dorvil filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 (Doc. 1). Petitioner claims that he should be given credit for his time spent in custody from May 27, 2007 through July 9, 2008 against his sentence as discussed at the time of sentencing by District Judge Daniel T. Hurley, District Court for the Southern District of Florida. On April 11, 2011, Judge Hurley ordered the Bureau of Prisons (“BOP”) to credit the petitioner with the time he requested in this petition. Thereafter the BOP recomputed petitioner’s sentence making him eligible for release on January 16, 2013. Petitioner was released from custody on February 12, 2013.¹

On November 22, 2013, United States Magistrate Judge Donald G. Wilkerson submitted a Report and Recommendation (“the Report”) recommending that the Court deny petitioner’s petition as moot and dismiss the

¹ See Federal Bureau of Prisons, Inmate Locator at www.bop.gov/iloc2/LocateInmate.jsp (last visited December 11, 2013).

matter. The Report was sent to the parties with a notice informing them of their right to file objections within fourteen days of service. Neither party filed timely objections to the Report. Thus, pursuant to 28 U.S.C. § 636(b), this Court need not conduct a *de novo* review. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). In reviewing the unobjected to Report for clear error, the Court is satisfied that Magistrate Judge Wilkerson's recommendation is correct. See *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999). Accordingly, the Court **ADOPTS** the Report (Doc. 14) in its entirety. Dorvil's petition for writ of habeas corpus pursuant to Section 2241 is hereby **DENIED as moot**. The Court **DISMISSES** petitioner's claim **without prejudice**.

IT IS SO ORDERED.

Singed this 12th day of December, 2013.


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David R. Herndon
Date: 2013.12.12
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Chief Judge
United States District Court