

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION at FRANKFORT**

CIVIL ACTION NO. 14-31-HRW

BENJAMIN JENKINS, III

PETITIONER,

v.

ORDER

COMMONWEALTH OF KENTUCKY,

RESPONDENT.

This matter is before the Court upon Benjamin Jenkins' Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 [Docket No. 1]. The matter was submitted to United States Magistrate J. Gregory Wehrman for Report and Recommendation.

Magistrate Judge Wehrman recommends that the Petition for Writ of Habeas Corpus be dismissed [Docket No. 2].

Having been granted two extensions of time in which to file Objections to the Magistrate's Report and Recommendation, Petition filed his "Answer" on July 18, 2014 [Docket No. 10]. After reviewing Petitioner's filing, as well as the record in this case, the Court finds nothing therein which would call into question the Report and Recommendation.

Accordingly, **IT IS THEREFORE ORDERED AND ADJUDGED,**

(1) that the Magistrate Judge's Report and Recommendation [Docket No. 2] is hereby **APPROVED** and **ADOPTED** as and for the Court's opinion; and

(2) that this action be **DISMISSED WITH PREJUDICE** and **STRICKEN** from the docket of this Court.

This 20th day of August, 2014.



Signed By
Harry R. Withoit, Jr.
United States District Judge.