

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

Eastern District of Kentucky  
**FILED**

JUN 03 2014

AT ASHLAND  
ROBERT R. CARR  
CLERK U.S. DISTRICT COURT

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].

Petitioner has not filed objections to the report and recommendation and the time for doing so has passed. After carefully considering the record, the Court finds the report and recommendation well taken and shall adopt the same as and for its own opinion.

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 3<sup>rd</sup> day of June, 2014.



Signed By  
Henry R. Wilhoit, Jr.  
United States District Judge