

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

DOMINIQUE NATHANIEL SANFORD,)	
)	Civil Case No.
Plaintiff,)	13-cv-83-JMH-HAI
)	
v.)	MEMORANDUM OPINION & ORDER
)	
WARDEN DAN BOTTOMS,)	
)	
Defendant.)	

This matter is before the Court on the Report and Recommendation entered by Magistrate Judge Hanley A. Ingram [DE 4], on July 9, 2013. Said action was assigned to the magistrate judge for the purpose of conducting a preliminary review of Petitioner Dominique Nathaniel Sandford's Petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 [DE 1], filed pro se. See Rule 4 of the Rules Governing Section 2254 Proceedings. The magistrate judge recommends that the petition be dismissed as improperly filed since it did not comply with Rule 2(c) of the Rules Governing Section 2254 Proceedings and that no Certificate of Appealability should issue.

No objections to the Report and Recommendation have been filed. Generally, "a judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations made by the magistrate

judge." 28 U.S.C. § 636. However, when the movant fails to file any objections to the Report and Recommendation, as in the case sub judice, "[i]t does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a de novo or any other standard." *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

Consequently, this Court adopts the reasoning and analysis set forth in the Report and Recommendation as its own.

Accordingly, **IT IS ORDERED:**

(1) that the Magistrate Judge's Report and Recommendation [DE 4] is **ACCEPTED** and **ADOPTED**;

(2) that Petitioner's Petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 [DE 1] is **DISMISSED WITHOUT PREJUDICE**;

(3) that no certificate of appealability will issue; and

(4) that the Clerk shall **STRIKE** this matter from the active docket.

This the 7th day of August, 2013.



Signed By:

Joseph M. Hood *JMH*

Senior U.S. District Judge