

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
BOWLING GREEN DIVISION
CIVIL ACTION NO. 1:08CV-00170-TBR

DERRICK SANCHO LOVING

PETITIONER

VS.

NANCY DOOM, Warden

RESPONDENT

ORDER

The above matter having been referred to the United States Magistrate Judge, who has filed his Findings of Fact and Conclusions of Law, objections having been filed thereto, and the Court having considered the same, adopts the Findings of Fact and Conclusions of Law as set forth in the report submitted by the United States Magistrate Judge.

IT IS THEREFORE ORDERED that Respondent's motion to dismiss (DN 10) is GRANTED and the § 2254 petition is DISMISSED with prejudice.

A Certification of Appealability is DENIED.

Handwritten signature of Thomas B. Russell in black ink, written over a circular seal of the United States District Court for the Western District of Kentucky.

Thomas B. Russell
Chief Judge, U.S. District Court

August 31, 2009

Copies to: Petitioner, *pro se*
Counsel of Record