

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JORGE ARIAS,

Petitioner,

v.

SEAN McADAM,

Respondent.

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Civil No. 11-11151-JLT

ORDER

March 6, 2012

TAURO, J.

This court ACCEPTS and ADOPTS the November 21, 2011 Report and Recommendation on Respondent’s Motion to Dismiss for failure to Exhaust State Court Remedies [#14] of Magistrate Judge Collings. Respondent’s Motion to Dismiss for Failure to Exhaust State Court Remedies [#9] is DENIED as moot because the court has ALLOWED Petitioner’s Motion to to [sic] Voluntarily Withdraw Counts 1,2,3,5 [#15].

IT IS SO ORDERED.

/s/ Joseph L. Tauro
United States District Judge