

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)
 KINGDAWUD BURGESS,)
) Petitioner,)
))
 v.)
 J. GRONDOLSKY,)
) Respondent.)
 _____)

Civil Action No. 12-10832-PBS

REPORT AND RECOMMENDATION ON
RESPONDENT'S MOTION TO DISMISS

February 26, 2013

SOROKIN, C.M.J.

Pending is the Respondent's Motion to Dismiss the Petitioner, Kingdawud Burgess's Petition for Writ of Habeas Corpus. Docket # 16. For the following reasons, I RECOMMEND that his Motion be ALLOWED.

I. FACTUAL AND PROCEDURAL BACKGROUND

On November 2, 2000, Burgess was convicted of possession with intent to distribute cocaine after a jury trial in the Superior Court of the District of Columbia. Docket # 17-1 at 4. He was sentenced to one-to-three years in prison. Id. On January 25, 2002, the District of Columbia Court of Appeals affirmed his conviction. Docket # 17-2 at 2. Vanessa Herbin-Smith of the Bureau of Prisons affirms that her review of the bureau's records reveals that Burgess completed his District of Columbia Superior Court sentence on February 4, 2004, when he was

3/20/2014
 I accept the report and
 recommendation and dismiss the Petition, without objection.
 Sorokin