

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

BARRY WHITTAKER, #188769

Petitioner,

Case No. 06-15679

Hon. Anna Diggs Taylor

v.

Magistrate Judge Virginia M. Morgan

BLAINE LAFLER,

Respondent.

ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION
(D/E-14)

This matter is before the court on Magistrate Judge Virginia M. Morgan's Report and Recommendation of April 24, 2009, recommending that Petitioner's Writ of Habeas Corpus be denied.

The court has reviewed the file, and the Magistrate Judge's Report and Recommendation. No objections were filed. The court finds that the law cited by the Magistrate has been correctly placed and is controlling in this matter.

THEREFORE, the court will accept the Magistrate's Report and Recommendation of April 24, 2009, as the findings and conclusions of this court.

Accordingly,

IT IS HEREBY ORDERED that Magistrate Judge Morgan's Report and Recommendation of April 24, 2009, is ACCEPTED and ADOPTED.

IT IS FURTHER ORDERED that Petitioner's Writ of Habeas Corpus is DENIED.

IT IS SO ORDERED.

DATED: June 25, 2009

s/Anna Diggs Taylor

ANNA DIGGS TAYLOR

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail disclosed on the Notice of Electronic Filing on June 25, 2009.

Barry Whittaker, #188769
Camp Lehman Correctional Facility
5135 Hartwick Pines Road
Grayling MI 49738

s/Johnetta M. Curry-Williams
Case Manager