

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GEORGE MARSHALL,

Petitioner,

Case No. 08-10519

HON. JOHN CORBETT O'MEARA

v.

SHIRLEE HARRY,

Respondent,

_____ /

ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

The Court having reviewed the Report and Recommendation filed on October 30, 2008, by Magistrate Judge Komives, as well as any objections thereto filed by the parties, and being fully advised in the premises;

IT IS HEREBY ORDERED that the Report and Recommendation is accepted and adopted as the findings and conclusions of this Court.

IT IS FURTHER ORDERED that Respondent's Motion to Dismiss, filed August 11, 2008, is GRANTED, and the Petition for Writ of Habeas Corpus be DISMISSED.

s/John Corbett O'Meara

United States District Judge

Date: December 15, 2008

Certificate of Service

I hereby certify that the foregoing order was served upon the parties of record on December 15, 2008, electronically and/or by U.S. mail.

s/William Barkholz

Case Manager