

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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LEKELDRIC DEUNDRAE PORTER,

Petitioner,

Case No. 1:08-CV-690

v.

Hon. Gordon J. Quist

THOMAS BIRKETT,

Respondent.

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**ORDER AND JUDGMENT**  
**APPROVING REPORT AND RECOMMENDATION**

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on November 26, 2008. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed November 25, 2008, is approved and adopted as the opinion of the court.

**IT IS FURTHER ORDERED** that Petitioner's habeas corpus petition is dismissed with prejudice pursuant to Rule 4 because it fails to raise a meritorious federal claim.

This case is **concluded**.

Dated: January 6, 2009

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/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE