

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

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RICHARD STEVEN RAMNARINE,

Petitioner,

Case No. 2:10-CV-88

v.

HON. GORDON J. QUIST

GARY CAPELLO,

Respondent.

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**ORDER ADOPTING**  
**REPORT AND RECOMMENDATION**

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on July 28, 2011. 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 July 28, 2011, is approved and adopted as the opinion of the court.

**IT IS FURTHER ORDERED** that Respondent's Motion For Summary Judgment And Dismissal Of Petition For Writ Of Habeas Corpus (docket no. 19) is **GRANTED**, and Petitioner's habeas corpus petition is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust available State court remedies.

This case is **concluded**.

Dated: September 13, 2011

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