

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MICHAEL LO,

Civil No. 07-4602 (JRT/JSM)

Petitioner,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

COMMISSIONER OF CORRECTIONS
OF THE STATE OF MINNESOTA,

Respondent.

Stephen Grisby, **LAW OFFICE OF STEPHEN V. GRISBY**, 30260 118th Street, Princeton, MN 55371, for petitioner.

Peter R. Marker, **OFFICE OF THE MINNESOTA ATTORNEY GENERAL**, 445 Minnesota Street, Suite 900, St. Paul, MN 55101; Mark Nathan Lystig, **OFFICE OF THE RAMSEY COUNTY ATTORNEY**, 50 West Kellogg Boulevard, Suite 315, St. Paul, MN 55102, for respondent.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated December 8, 2008. Based upon the Report and Recommendation of the Magistrate Judge [Docket No. 7], and all of the files, records and proceedings herein, and no objections having been filed to said Report and Recommendation, **IT IS HEREBY ORDERED** that:

1. Petitioner's Petition for Writ of Habeas Corpus under Title 28 U.S.C. Section 2254 [Docket No. 1], is **DENIED**; and
2. This action is **DISMISSED WITH PREJUDICE**.

Dated: January 14, 2009
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge