

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

JOE BROWN,

Civil No. 08-5752 (JRT/RLE)

Petitioner,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

RICARDO RIOS, HARLEY LAPPIN,
AND ALLEN MUKASEY,

Respondents.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson dated November 2, 2009. Based upon the Report and Recommendation of the Magistrate Judge [Docket No. 11], 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 the Petition for a Writ of Habeas Corpus [Docket No. 1] be **DISMISSED, WITH PREJUDICE.**

Dated: December 14, 2009
at Minneapolis, Minnesota

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