

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

KELLY JONES,

Petitioner,

v.

ORDER

Civil File No. 09-1074 (MJD/RLE)

FEDERAL BUREAU OF PRISONS
and UNITED STATES OF AMERICA,

Respondents.

Kelly Jones, pro se.

Gregory Brooker and Ana H. Voss, Assistant United States Attorneys, Counsel
for Respondents.

The above-entitled matter comes before the Court upon the Report and Recommendation of Chief United States Magistrate Judge Raymond L. Erickson dated February 8, 2010. [Docket No. 31] Petitioner Kelly Jones filed objections to the Report and Recommendation. With his objections, Jones has also submitted additional evidence related to the second DHO hearing. For the reasons thoroughly explained in the Report and Recommendation, Jones must file a new

habeas petition to challenge any issues with regard to the second DHO hearing.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court **ADOPTS** the Report and Recommendation of Chief United States Magistrate Judge Raymond L. Erickson dated February 8, 2010.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The Court **ADOPTS** the Chief Magistrate Judge's Report and Recommendation dated February 8, 2010 [Docket No. 31].
2. Petitioner's application for a writ of habeas corpus [Docket No. 1] is **DENIED AS MOOT**.
3. Petitioner's Motion for Sanctions [Docket No. 11] is **DENIED**.
4. Petitioner's Second Motion for Sanctions [Docket No. 12] is **DENIED**.
5. Petitioner's Third Motion for Sanctions [Docket No. 26] is **DENIED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 4, 2010

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court