

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Kent Richard Jones,

Civil 09-2781 JNE/FLN

Petitioner,

v.

O R D E R

Commissioner of Corrections
Joan Fabian, and Warden John
King,Respondents.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated June 9, 2010, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Petitioner's application for habeas corpus relief under 28 U.S.C. §2254 [#1] is **DENIED**;
2. This action is **DISMISSED** with prejudice; and
3. Petitioner is not granted a Certificate of Appealability.

DATED: 7-6, 2010.
at Minneapolis, Minnesota

s/ Joan N. Ericksen
JUDGE JOAN N. ERICKSEN
United States District Court