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UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

TITO KNOX,

Civil No. 11-1959 (JRT/JJG)

Petitioner,

v.

**ORDER** 

WARDEN B.R. JETT,

Respondent.

Tito Knox, #13813-171, Rochester Federal Medical Center, Post Office Box 4000, Rochester, MN 55903, pro se petitioner.

Gregory Brooker, Assistant United States Attorney, **OFFICE OF THE UNITED STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for respondent.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeanne J. Graham dated January 5, 2012. Based upon the Report and Recommendation of the Magistrate Judge [Docket No. 4], 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 this action is DISMISSED WITHOUT PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 30, 2012 at Minneapolis, Minnesota

s/ John R. Tunheim

JOHN R. TUNHEIM

United States District Judge