

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

VICTOR MATIAS, JR.,

Petitioner,

v.

ORDER

Civil File No. 12-63 (MJD/LIB)

WARDEN B.R. JETT,

Respondent.

Victor Matias, Jr., pro se.

Erika R. Mozangue, Assistant United States Attorney, Counsel for Defendant.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois filed January 13, 2012. Petitioner filed objections to the Report and Recommendation.

Pursuant to statute, the Court has conducted a de novo review upon 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 United States Magistrate Judge Brisbois filed January 13, 2012.

Accordingly, based upon the files, records, and proceedings herein, **IT IS**

HEREBY ORDERED:

1. The Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Brisbois dated January 13, 2012 [Docket No. 2].
2. Petitioner's application for habeas corpus relief under 28 U.S.C. § 2241 [Docket No. 1] is summarily **DISMISSED** for lack of jurisdiction.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 22, 2012

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court