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UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

Paul Peter Swehla,

Civil No. 13-1919 (SRN/JJK)

Petitioner,

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ORDER ADOPTING REPORT AND RECOMMENDATION

Denese Wilson, Warden,

Respondent.

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes. No objections to the Report and Recommendation were filed within the requisite time period. Based upon the foregoing and all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

- 1. The Petition (Doc. No. 1), is DENIED;
- 2. Respondent's Motion to Dismiss (Doc. No. 5), is GRANTED IN PART; and
- 3. This action is DISMISSED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 15, 2013

s/Susan Richard Nelson SUSAN RICHARD NELSON United States District Judge