Sterling v. Smith Doc. 10

UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

Adam Lee Sterling,

Petitioner,

VS.

ORDER ADOPTING THE REPORT AND RECOMMENDATION

Michelle Smith, Department of Corrections,

Respondent.

Civ. No. 14-4063 (ADM/LIB)

* * * * * * * * * * * * * * * * * * *

Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-titled matter and no objection having been filed, IT IS ORDERED

- 1. This action is summarily **DISMISSED WITHOUT PREJUDICE**.
- 2. Petitioner is **NOT** granted a Certificate of Appealability.

LET JUDGMENT BE ENTERED ACCORDINGLY.

s/Ann D. Montgomery

Ann D. Montgomery, Judge **United States District Court**

DATED: October 30, 2014 At Minneapolis, Minnesota