

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

ANDRE THOMAS JOHNSON,

Civil No. 16-3331 (JRT/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

MINNESOTA DEPARTMENT OF
CORRECTIONS,

Defendant.

Andre Thomas Johnson, 182345, MCF – OPH, 5329 Osgood Avenue North, Stillwater, MN 55082, *pro se*.

Peter R. Marker, **RAMSEY COUNTY ATTORNEY'S OFFICE**, 345 Wabasha Street North, Suite 120, St Paul, MN 55102-1657, for defendant.

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-entitled matter, **IT IS HEREBY ORDERED** that:

1. The Petition for Writ of Habeas Corpus, [Docket No. 1], is **DENIED**.
2. This action is **DISMISSED WITH PREJUDICE**.
3. No certificate of appealability is granted.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 30, 2017
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court