

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

KEITH EUGENE WASHINGTON,

Petitioner,

v.

ORDER

Civil File No. 21-921 (MJD/TNL)

JEFF TITUS,

Respondent.

Keith Eugene Washington, pro se.

Jonathan P. Schmidt, Assistant Hennepin County Attorney, Counsel for Defendant.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Tony N. Leung dated April 13, 2021. Petitioner Keith Eugene Washington filed objections to the Report and Recommendation. On May 28, 2021, the Eighth Circuit Court of Appeals denied Petitioner authorization to file a successive habeas application in this Court.

[Docket No. 12]

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 Leung dated April 13, 2021.

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 Tony N. Leung dated April 13, 2021 [Docket No. 8].
2. This matter is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction.
3. Petitioner's Request Permission to File a Second Habeas Petition [Docket No. 4] is **DENIED**.
4. No certificate of appealability will issue.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 4, 2021

s/Michael J. Davis

Michael J. Davis

United States District Court