

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

STEVEN NEAL HUBANKS,

PETITIONER

V.

NO. 1:07CV121-P-D

MDOC, et al.,

RESPONDENTS

FINAL JUDGMENT

Upon consideration of the file and records in this action, the court finds that the Report and Recommendation of the United States Magistrate Judge dated August 13, 2008, was on that date duly served by mail upon Petitioner at his last known address; that more than ten days have elapsed since service of the Report and Recommendation; and that no objection to the Report and Recommendation has been served or filed by any party. The court is of the opinion that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. Therefore, it is

ORDERED:

1) the Report and Recommendation of the United States Magistrate Judge dated August 13, 2008, is hereby APPROVED and ADOPTED as the opinion of the court;

2) the petition is DISMISSED with prejudice; and

3) this case is CLOSED.

THIS the 12th day of November, 2008.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE