

petition of Robert Nathaniel Olds be dismissed without prejudice for failure to exhaust available state remedies with respect to all claims; (3) the 28 U.S.C. § 2254 petition of Robert Nathaniel Olds be denied on the merits without further proceedings; and (4) all other pending motions be denied without prejudice (Docs. 148, 151, and 157).

Petitioner filed timely objections to the Report and Recommendation. The Court has carefully reviewed petitioner's objections and the entire record of this matter. Following de novo review, the Court concurs in the recommendation of the Magistrate Judge as contained in the well-reasoned and very thorough Order and Report and Recommendation. Petitioner's objections are overruled.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of United States Magistrate Judge is **sustained, adopted** and **incorporated** herein. [Doc. 158]

IT IS FURTHER ORDERED that Robert Nathaniel Olds' Petition for Writ of Habeas Corpus pursuant to Title 28 U.S.C. § 2254 is **DENIED**. [Doc. 1]

IT IS FURTHER ORDERED that all other pending motions are **DENIED without prejudice**. [Docs. 148, 151, and 157]

IT IS FURTHER ORDERED that this matter is **DISMISSED**, with no further action to take place herein.

An appropriate judgment will accompany this order.



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 28th day of January, 2013.