

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**STANTON Q. SHELTON,**

**Petitioner,**

**vs.**

**GERARD NESTER,**

**Respondent.**

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**Case No. 4:13-cv-1050 SNLJ-NAB**

**ORDER**

This matter is before the Court on the petitioner's motion requesting reassignment to Judge David D. Noce and motion for summary judgment (#17). I referred this matter to United States Magistrate Judge Nannette Baker for a report and recommendation on all dispositive matters pursuant to 28 U.S.C. § 636(b). On February 13, 2014, Judge Baker filed her recommendation that the petitioner's motions be denied (#18). The time for objecting to Judge Baker's report and recommendation has passed, and there have been no objections. The Court will construe petitioner's motion for summary judgment as a reply memorandum in support of his petition for habeas corpus.

Accordingly,

**IT IS HEREBY ORDERED** that Judge Baker's Report and Recommendation filed on February 13, 2014 is adopted and sustained in its entirety.

Dated this 24th day of April, 2014.



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STEPHEN N. LIMBAUGH, JR.  
UNITED STATES DISTRICT JUDGE