

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

CHARLES T. HERVEY,)	
)	
Petitioner,)	
)	
v.)	No. 4:16-CV-1276 CAS-NCC
)	
RICH JENNINGS, ¹)	
)	
Respondent.)	

ORDER

This matter is before the Court on state prisoner Charles T. Hervey’s action pursuant to 28 U.S.C. § 2254. This case was referred to United States Magistrate Judge Noelle C. Collins for report and recommendation on all dispositive matters and for final disposition on all non-dispositive matters, pursuant to 28 U.S.C. § 636(b).

On June 25, 2019, Judge Collins filed a Report and Recommendation of United States Magistrate Judge which recommended that Hervey’s petition for writ of habeas corpus be denied. No objections were filed to the Magistrate Judge’s Report and Recommendation within the time permitted.

After careful review of the record, the Court concurs in the recommendation of the Magistrate Judge.

¹ Petitioner is currently incarcerated at Potosi Correctional Center in Mineral Point, Missouri. See Doc. 13. Rich Jennings is the Warden and proper party respondent. See 28 U.S.C. § 2254, Rule 2(a).

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of United States Magistrate Judge is **sustained, adopted and incorporated** herein. [Doc. 17]


IT IS FURTHER ORDERED that Charles T. Hervey's Petition for Writ of Habeas Corpus pursuant to Title 28 U.S.C. § 2254 is **DENIED**. [Doc. 1]

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

IT IS FURTHER ORDERED that the Clerk of the Court shall amend the caption of this case to read as follows, and amend the short caption accordingly:

Charles T. Hervey v. Rich Jennings, No. 4:16-CV-1276 CAS-NCC.

An appropriate judgment will accompany this Order.


CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 30th day of July, 2019.