

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

ABDUL-MUMIT MUHAMMAD,)	
)	
Petitioner,)	
v.)	Civil Action
)	No. 08-3190-CV-S-RED-H
MARTY C. ANDERSON, Warden,)	
United States Medical Center for)	
Federal Prisoners,)	
)	
Respondent.)	

ORDER AND JUDGMENT

The United States Magistrate Judge has submitted a Report and Recommendation that this matter be dismissed as it is improperly filed under the provisions of 28 U.S.C. § 2255.

A review of the files and records in this case indicate that the petitioner has suffered no conviction or sentence in the Western District of Missouri. He was committed under the provisions of 18 U.S.C. § 4246, *United States v. Abdul-Mumit Muhammad*, Case No. 07-3428-CV-S-RED, (WDMO) April 7, 2008. The defendant has now been conditionally released from that commitment.

After the Report and Recommendation was filed, the defendant submitted pro se pleadings, which appear to request a conditional release, which he has now been granted. It is therefore

ORDERED that the Report and Recommendation of the United States Magistrate Judge be, and is hereby, adopted. It is further ORDERED that the petition filed herein be, and is hereby, dismissed without prejudice.

Date: September 19, 2008

/s/ Richard E. Dorr
RICHARD E. DORR
United States District Judge