

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIREEric B. Sackie

v.

Superintendent, Strafford County
Department of Corrections; U.S.
Immigration and Customs Enforcement;
C.M. Cronen, Field Office Director;
and Karen Bruce, Deportation Officer

Case No. 17-cv-5-SM

O R D E R


No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated June 6, 2017, for the reasons set forth therein.

“‘[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.’” School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).

The federal respondents' motion to dismiss is hereby granted in its entirety (document no. 9), without prejudice to

Mr. Sackie's ability to file a new § 2241 petition asserting a Zadvydas claim in a court with jurisdiction over that claim. The Clerk of Court shall enter judgment in accordance with this order and close the case.

SO ORDERED.


Steven J. McAuliffe
United States District Court

Date: July 6, 2017

cc: Eric B. Sackie, pro se
Thomas P. Velardi, Esq.
T. David Plourde, AUSA