

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

|                     |   |           |
|---------------------|---|-----------|
| CORY EUGENE FRANCE, | ) |           |
|                     | ) |           |
| Petitioner,         | ) |           |
|                     | ) |           |
| v.                  | ) | 1:18CV188 |
|                     | ) |           |
| KENNETH LASSITER,   | ) |           |
|                     | ) |           |
| Respondent.         | ) |           |

**ORDER**

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on March 15, 2018, was served on the parties in this action. (ECF Nos. 6, 7.) No objections were filed within the time prescribed by §636.

The Court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action is filed and dismissed *sua sponte* without prejudice to Petitioner filing a new petition, which corrects the defects cited in the Magistrate Judge's Recommendation. A Judgment dismissing this action will be entered contemporaneously with this Order.

This, the 30<sup>th</sup> day of April, 2018.

/s/ Loretta C. Biggs  
United States District Judge