

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**JERRY LEON McMANUS, JR.,** )  
 )  
 **Petitioner,** )  
 )  
 **v.** )  
 )  
 **DAVID PARKER, Warden,** )  
 )  
 **Respondent.** )

**Case No. CIV-07-109-RAW**


**ORDER**

On July 17, 2009, Magistrate Judge West filed a Report and Recommendation, recommending that this action (commenced by petitioner’s filing of a petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254) be dismissed. Petitioner has timely filed an objection. The court has conducted the de novo review required by 28 U.S.C. §636(b) of “those portions of the report or specified findings or recommendations to which objection is made.” The recommendation of the Magistrate Judge will be followed.

It is the Order of the court that the Report and Recommendation of the United States Magistrate Judge is hereby adopted and affirmed as the Order of the court. Petitioner’s petition pursuant to 28 U.S.C. §2254 is hereby DISMISSED.

**ORDERED THIS 16th DAY OF SEPTEMBER, 2009.**

**Dated this 16<sup>th</sup> Day of September 2009.**

  
Ronald A. White  
United States District Judge  
Eastern District of Oklahoma

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