

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

MICHAEL ANTONELLI,)	
)	
Petitioner,)	
vs.)	NO. CIV-06-0628-HE
)	
JOE KEFFER, Warden,)	
)	
Respondent.)	

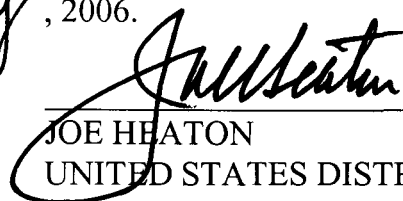
ORDER

Petitioner Michael Antonelli instituted this action pursuant to 28 U.S.C. § 2241 seeking habeas relief. Consistent with 28 U.S.C. §636(b)(1)(B), the matter was referred to Magistrate Judge Robert E. Bacharach, who has recommended that the petition be denied. The petitioner, by failing to object to the Report and Recommendation, waived his right to appellate review of the suggested denial. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996). See 28 U.S.C. § 636(b)(1)(C); LCvR72.1(a). The court also has considered the merits of the petitioner’s claim and concurs with the magistrate judge that a writ of habeas corpus is unavailable because the petitioner is challenging his conditions of confinement.

Accordingly, the court adopts Magistrate Judge Bacharach’s Report and Recommendation and **DENIES** the petition for writ of habeas corpus.

IT IS SO ORDERED.

Dated this 10th day of July, 2006.



 JOE HEATON
 UNITED STATES DISTRICT JUDGE