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

NATHAN LEE BARBER, JR., ) Petitioner, ) vs. ) JOHN WHETSEL, et al., ) Respondents. )

No. CIV-14-454-C

## <u>ORDER</u>

This matter is before the Court on the Report and Recommendation entered by United States Magistrate Judge Gary M. Purcell on June 4, 2014 (Dkt. No. 6). The court file reflects that no party has objected to the Report and Recommendation within the time limits prescribed; however, on June 23, 2014, Petitioner submitted his Application for Leave to Proceed in Forma Pauperis (Dkt. No. 7), rendering the Magistrate Judge's recommendation moot.

Accordingly, the Report and Recommendation of the Magistrate Judge is adopted in part. Because Petitioner has now submitted his Application for Leave to Proceed in Forma Pauperis, the case is once again committed to Judge Purcell under the initial Order of Referral.

IT IS SO ORDERED this 30th day of June, 2014.

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ROBIN J. CAUTHRON United States District Judge