

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

THOMAS BLAKE,)	
)	
Petitioner,)	
vs.)	NO. CIV-14-0488-HE
)	
FEDERAL TRANSFER CENTER,)	
WARDEN,)	
)	
Respondent.)	

ORDER

Petitioner Thomas Blake appearing *pro se*, filed this action claiming he was being illegally detained at the Federal Transfer Center in Oklahoma City, Oklahoma, past his release date. He also made other conclusory and fanciful allegations of harm. The matter was referred to Magistrate Judge Charles B. Goodwin for initial proceedings consistent with 28 U.S.C. § 636. He has recommended that petitioner's § 2241 claim of illegal detention be dismissed as moot and his remaining claims¹ be dismissed as being frivolous. The magistrate judge also concluded that petitioner was not entitled to any documents filed in relation to an indictment being sought against him in federal court in Oklahoma or to have this case be a continuation of a case previously filed and dismissed in federal court in West Virginia.

Petitioner, having failed to object to the Report and Recommendation, waived his right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996); *see* 28 U.S.C. §


¹*The magistrate judge construed these claims as being asserted under the Federal Tort Claims Act or Bivens v. Six Unknown Fed. Narcotics Agents, 403 U.S. 388 (1971).*

636(b)(1)(C).

Accordingly, the court **ADOPTS** Magistrate Judge Goodwin's Report and Recommendation. Petitioner's claim asserted under 28 U.S.C. § 2241 is dismissed without prejudice as being **MOOT** and his remaining claims are dismissed with prejudice. Petitioner's requests for the production of documents, the appointment of counsel and for this lawsuit to be treated as a continuation of another, dismissed action are **DENIED**.

IT IS SO ORDERED.

Dated this 23rd day of June, 2014.



JOE HEATON
UNITED STATES DISTRICT JUDGE