

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

DONTAE S. DANIELS,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case No. CIV-14-742-M
	)	
JOHN WHETSEL, Sheriff,	)	
	)	
Respondent.	)	

**ORDER**

On October 7, 2014, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2254, seeking a writ of habeas corpus. The Magistrate Judge recommended that respondent’s Motion to Dismiss be granted and the Petition for a Writ of Habeas Corpus be dismissed without prejudice for lack of exhaustion. The parties were advised of their right to object to the Report and Recommendation by October 27, 2014. A review of the file reveals no objection has been filed.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation [docket no. 15] issued by the Magistrate Judge on October 7, 2014;
- (2) GRANTS respondent’s Motion to Dismiss [docket no. 10], and
- (3) DISMISSES the Petition for a Writ of Habeas Corpus without prejudice for lack of exhaustion.

**IT IS SO ORDERED this 6th day of November, 2014.**

  
VICKI MILES-LAGRANGE  
CHIEF UNITED STATES DISTRICT JUDGE