

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

WILLIAM REEVES CATHEY,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-14-1036-D
)	
OKLAHOMA DEPARTMENT OF)	
CORRECTIONS, <i>et al.</i> ,)	
)	
Respondents)	

ORDER

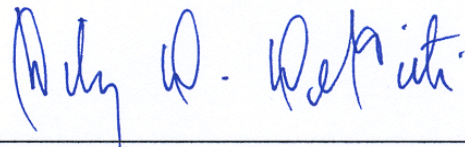
This matter is before the Court for review of the Report and Recommendation issued October 30, 2014, by United States Magistrate Judge Gary M. Purcell pursuant to 28 U.S.C. § 636(b)(1)(B). Upon initial screening, Judge Purcell recommends that the Petition for Writ of Habeas Corpus be dismissed without prejudice for failure to comply with a prior order to cure deficiencies, including either paying the \$5.00 filing fee or submitting an application for leave to proceed *in forma pauperis* and filing a petition on the proper form for relief under 28 U.S.C. § 2241.

The case file shows no timely objection to the Report nor request for additional time to object, even though Petitioner was expressly informed of his right to object, the procedure for doing so, and the consequences of failing to object. Therefore, the Court finds that Petitioner has waived further review of all issues addressed in the Report. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *see also United States v. 2121 East 30th Street*, 73 F.3d 1057, 1060 (10th Cir. 1996). Further, Petitioner has not complied with the

Order to Petitioner to Cure Deficiency issued by Judge Purcell on September 30, 2014. For these reasons, and the reasons explained by Judge Purcell, the Court finds that the Petition should be dismissed without prejudice to refiling.

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 5] is ADOPTED. The Petition is DISMISSED without prejudice to a future filing. A separate judgment of dismissal shall be entered.

IT IS SO ORDERED this 26th day of November, 2014.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE