

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

ROBERT A. BURCUM, SR.,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-15-570-D
)	
TRACY MCCOLLUM,)	
)	
Respondent.)	

ORDER

This matter is before the Court for review of the Report and Recommendation issued by United States Magistrate Judge Shon T. Erwin pursuant to 28 U.S.C. § 636(b). Judge Erwin recommends that the Petition Under 28 U.S.C. § 2254 be dismissed as moot. Petitioner has neither filed a timely objection nor requested additional time to object.

Upon consideration, the Court finds that Petitioner has waived further review of the issue of mootness due to his failure to object. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *see also United States v. 2121 E. 30th St.*, 73 F.3d 1057, 1060 (10th Cir. 1996). Further, the Court finds that Judge Erwin’s analysis is correct. The case must be dismissed for lack of jurisdiction because the Petition is moot.

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 22] is ADOPTED in its entirety. This action is DISMISSED without prejudice.

IT IS SO ORDERED this 27th day of February, 2017.

TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE