

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

TIMOTHY HATTEN,  
Petitioner

vs.

BRYAN A. BLEDSOE,  
Respondent

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: CIVIL NO. 1:CV-12-772  
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*O R D E R*

AND NOW, this 24th day of July, 2012, upon consideration of the report (Doc. 5) of the magistrate judge, filed May 30, 2012, and Plaintiff's objections (Doc. 8) thereto, and upon independent review of the record, it is ordered that:

1. The magistrate judge's report is adopted.
2. The 28 U.S.C. § 2241 petition (Doc. 1) is dismissed for lack of jurisdiction.
3. The Clerk of Court shall close this file.<sup>1</sup>

/s/William W. Caldwell  
William W. Caldwell  
United States District Judge

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<sup>1</sup> In his objections, Petitioner asserts he should be able to file this 2241 petition because the cases he relies on had not been decided when he filed his 28 U.S.C. § 2255 motion in 2000. That fact is not enough to satisfy section 2255's safety-valve provision. In any event, the cases were decided before the 2255 motion was filed.