

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

| | | |
|---------------------------|---|--------------------------------------|
| ROY THOMAS | : | |
| Petitioner | : | Civil Action No. 1:13-cv-2569 |
| | : | |
| v. | : | (Judge Kane) |
| | : | |
| MONICA RECKTENWALD | : | (Magistrate Judge Schwab) |
| | : | |
| Respondent | : | |

ORDER

Before the Court in the above-captioned action is an October 30, 2015 Report and Recommendation of the Magistrate Judge. No timely objections have been filed.

ACCORDINGLY, this 23rd day of November, 2015, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the Report and Recommendation (Doc. No. 21) of Magistrate Judge Schwab.
- 2) The Petition for Writ of Habeas Corpus (Doc. No. 1), is **DISMISSED** for failure to state a claim cognizable under 28 U.S.C. § 2241 without prejudice to Thomas to file a civil rights action.
- 3) The Clerk of Court shall **CLOSE** this case.

S/ Yvette Kane
YVETTE KANE, District Judge
United States District Court
Middle District of Pennsylvania