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

MARCO MIGUEL ROBERTSON,

Petitioner,

Civil Action No. 3:12-cv-322

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FEDERAL BUREAU OF PRISONS, et al.,

Respondents.

(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

<u>ORDER</u>

NOW this <u>14th</u> day of March, 2012, upon review of the Report and Recommendation of Magistrate Judge Martin C. Carlson (Doc. 6) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 6) is ADOPTED.
- (2) The Action is **DISMISSED WITHOUT PREJUDICE**.
- (3) Plaintiff's Motion to Proceed *in forma pauperis* (Doc. 3) is **GRANTED** solely for the purpose of filing the instant action.
- (4) A Certificate of Appealability SHALL NOT ISSUE.
- (5) The Clerk of Court is directed to mark the case as **CLOSED**.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge