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**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF TEXAS**

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STANDLEY DANIELS,

Petitioner,

*versus*

JOHN B. FOX, WARDEN,

Respondent.

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CIVIL ACTION NO. 1:10-CV-230

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE’S REPORT AND RECOMMENDATION**

Petitioner, Standley Daniels, an inmate formerly confined at the U.S. Penitentiary in Beaumont, Texas, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends this action be dismissed without prejudice as moot.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, and pleadings. No objections to the report and recommendation have been filed by either party to date.<sup>1</sup>

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<sup>1</sup> On January 19, 2011, the copy of the Report and Recommendation was returned to the District Clerk’s office with the notation “Return to Sender, No Longer Here.” Petitioner has failed to update the court with his new contact information.

**ORDER**

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 15th day of February, 2011.

*Marcia A. Crone*

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE