

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

STEPHEN AYALA,

Petitioner,

versus

WARDEN FCC BEAUMONT LOW,

Respondent.

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CIVIL ACTION NO. 1:15-CV-166

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

Petitioner Stephen Ayala, proceeding *pro se*, filed the above-styled petition for writ of habeas corpus. The court previously referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending the petition be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b).

The court has received the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. No objections were filed to the Report and Recommendation.

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 shall be entered dismissing this petition. If petitioner wishes to have this case reinstated on the court’s active

docket, he may do so by providing the court with a correct address within 60 days of the date set forth below.

SIGNED at Beaumont, Texas, this 2nd day of November, 2016.

A handwritten signature in black ink that reads "Marcia A. Crone". The signature is written in a cursive style with a horizontal line underneath it.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE