

denied, 541 U.S. 1036 (2004); *Fuller v. Rich*, 11 F.3d 61, 62 (5th Cir. 1994); *see also Rourke v. Thompson*, 11 F.3d 47, 49 (5th Cir. 1993). While petitioner requested to be excused from the exhaustion requirement, he failed to show extraordinary circumstances warranting such excuse. As petitioner did not exhaust available administrative remedies prior to filing this petition, the petition should be dismissed. Further, a review of the inmate locator service reveals petitioner is no longer confined in the Bureau of Prisons; thus, his petition is moot. Therefore, this petition should be dismissed.

ORDER

Accordingly, petitioner's objections are **OVERRULED**. 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 recommendations.

It is SO ORDERED.

SIGNED this 1st day of August, 2012.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE