

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

WALTER EDWARD TATE, SR.,

Petitioner,

v.

RICK THALER, Director,  
Texas Department of Criminal Justice,  
Correctional Institutions Division,

Respondent.

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2:11-CV-0286

**ORDER ADOPTING REPORT AND RECOMMENDATION and  
DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS**

Came for consideration the Petition for a Writ of Habeas Corpus by a Person in State Custody filed by petitioner WALTER EDWARD TATE, SR. On October 4, 2012, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending petitioner's application for a writ of habeas corpus be dismissed for want of prosecution. As of this date, petitioner has not filed objections to the Magistrate Judge's Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner is hereby DISMISSED.

IT IS SO ORDERED.

ENTERED this 24<sup>th</sup> day of October 2012.

  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE