

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

MAILE EPLEY,
Petitioner,

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VS.

CIVIL ACTION NO.4:08-CV-235-Y

W. ELAINE CHAPMAN, Warden,
FMC-Carswell,
Respondent.

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

Before the Court is the petition for writ of habeas corpus under 28 U.S.C. § 2241 of petitioner Maile Epley, along with the October 23, 2008, findings, conclusions, and recommendation of the United States magistrate judge. The magistrate judge gave the parties until November 13 to file written objections to the findings, conclusions, and recommendation. As of the date of this order, no written objections have been filed.

The Court has reviewed the pleadings and the record in this case, and has reviewed for clear error the proposed findings, conclusions and recommendation of the United States magistrate judge filed on October 23, 2008. The Court concludes that the respondent's motion to dismiss should be granted and the petition for writ of habeas corpus should be dismissed as moot, for the reasons stated in the magistrate judge's findings and conclusions.

Therefore, the findings, conclusions and recommendation of the magistrate judge are ADOPTED.

Respondent's June 13, 2008, motion to dismiss [docket no. 8] is GRANTED to the extent Epley's petition will be dismissed as moot.

Maile Epley's petition for writ of habeas corpus under 28
U.S.C. § 2241 is DISMISSED as moot.

SIGNED November 21, 2008.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE