

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

EDUARDO R CANALES, §  
§  
Petitioner, §  
VS. § CIVIL ACTION NO. C-06-266  
§  
NATHANIEL QUARTERMAN, §  
§  
Respondent. §

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION  
TO DENY PETITIONER'S MOTION TO  
PROCEED IN FORMA PAUPERIS AND FOR A WRIT OF CERTIORARI**

On April 2, 2008, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that petitioner's motion to proceed *in forma pauperis* and for a writ of certiorari (D.E. 48) be denied without prejudice. Seeing no objection to this recommendation by either party and having now reviewed the recommendation, this Court hereby adopts as its own the Memorandum and Recommendation as the decision of the Court.

Accordingly, it is

ORDERED that petitioner's motion to proceed *in forma pauperis* and for a writ of certiorari (D.E. 48) is denied without prejudice.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 28th day of April, 2008.

  
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Janis Graham Jack  
United States District Judge