

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

1 STARR DALTON,

Plaintiff,

v.

CIVIL ACTION NO. 2:08-cv-01218

W.VA PAROLE BOARD, et al.,

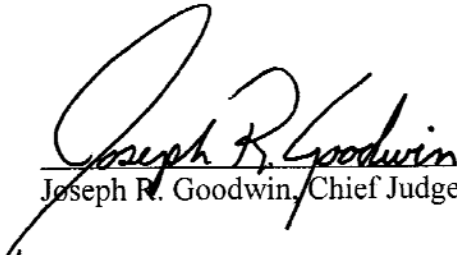
Defendants.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Mary E. Stanley, United States Magistrate Judge, for submission to this court of proposed findings of fact and recommendation for disposition (“PF&R”), pursuant to 28 U.S.C. § 636(b)(1)(B). On December 8, 2009, the Magistrate Judge submitted proposed findings of fact and recommended that the court deny the petitioner’s Petition for Writ of Habeas Corpus [Docket 2] and dismiss this action. Objections to the PF&R were due to the court by December 28, 2009. Neither party has filed objections.

The court **ADOPTS** and incorporates herein the findings and recommendation of the Magistrate Judge. The court **DENIES** the petitioner’s Petition for Writ of Habeas Corpus [Docket 2]. The court **DIRECTS** the Clerk to send a certified copy of this Order to Magistrate Judge Stanley, counsel of record, and any unrepresented party.

ENTER: January 19, 2010


Joseph R. Goodwin, Chief Judge