



Henderson v. State

2006 | Cited 0 times | D. Minnesota | October 4, 2006

ORDER ADOPTING THE REPORT AND RECOMMENDATION

This matter is before the Court upon Petitioner Michael P. Henderson's ("Petitioner's") objections to Magistrate Judge Arthur J. Boylan's Report and Recommendation dated September 6, 2006, recommending that Petitioner's application for a writ of habeas corpus be denied and that this action be summarily dismissed without prejudice for lack of jurisdiction.

The Court has conducted a de novo review of the record, including a review of the arguments and submissions of counsel, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.1(c). The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference for purposes of Petitioner's objections.

Based upon the de novo review of the record and all of the arguments and submissions of the parties and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

ORDER

1. Petitioner Michael P. Henderson's objections (Doc. No. 4) to Magistrate Judge Arthur J. Boylan's Report and Recommendation dated September 6, 2006, are DENIED.
2. Magistrate Judge Arthur J. Boylan's Report and Recommendation dated September 6, 2006 (Doc. No. 3), is ADOPTED.
3. Petitioner Michael P. Henderson's application for a writ of habeas corpus, (Doc. No. 1), is DENIED.
4. Petitioner Michael P. Henderson's Motion to Grant Appropriate Relief (Doc. No. 5) is DENIED as moot.
5. This action is SUMMARILY DISMISSED WITHOUT PREJUDICE for lack of jurisdiction.

