

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

James Nathan Kellum,

Case No. 21-CV-1664 (KMM/LIB)

Petitioner,

v.

ORDER

Warden Steve Kallis,

Respondent.

The above matter comes before the Court upon the Report and Recommendation (R&R) of United States Magistrate Judge Leo I. Brisbois, dated January 31, 2022. No objections have been filed to that R&R in the time period permitted.

The Court reviews de novo any portion of the R&R to which specific objections are made. 28 U.S.C. § 636(b)(1); D. Minn. LR 72.2(b). In the absence of objections, the Court reviews the R&R for clear error. *Nur v. Olmsted County*, No. 19-cv-2384 (WMW/DTS), 2021 WL 4444813, at *1 (D. Minn. 2021) (citing Fed. R. Civ. P. 72(b) and *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam)). Based on the Court's careful review of the R&R and the record in this case, the Magistrate Judge committed no error, clear or otherwise.

IT IS HEREBY ORDERED that:

1. The Petition for Writ of Habeas Corpus [ECF No. 1] is **DENIED**; and

2. This action is **DISMISSED** without prejudice.

Let Judgment Be Entered Accordingly.

Date: **March 22, 2022**

s/ Katherine M. Menendez
Katherine M. Menendez
United States District Judge