

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JEFFREY ROY CROSBY,

Petitioner,

-against-

9:07-CV-1180
(LEK/VEB)

WARDEN, FCI Raybrook,

Respondent.

DECISION AND ORDER

This matter comes before the Court following a Report-Recommendation filed on October 7, 2008 by the Honorable Victor E. Bianchini, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.3 of the Northern District of New York. Report-Rec. (Dkt. No. 9). After ten days from the service thereof, the Clerk has sent the entire file to the undersigned, including the objections, corrected objections, and supplemental objection by Jeffrey Roy Crosby, which were filed on October 15, 2008, October 22, 2008, and October 24, 2008. Objections (Dkt. Nos. 10-12).

It is the duty of this Court to “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b). “A [district] judge... may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.* This Court has considered the objections and has undertaken a de novo review of the record and has determined that the Report-Recommendation should be approved for the reasons stated therein.

Accordingly, it is hereby

ORDERED, that the Report-Recommendation (Dkt. No. 9) is **APPROVED** and **ADOPTED** in its **ENTIRETY**; and it is further

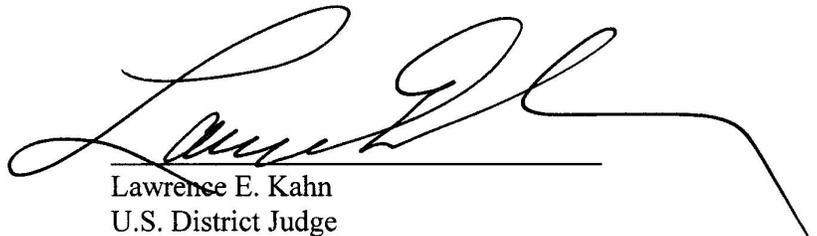
ORDERED, that Crosby's Petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 (Dkt. No. 1) is **DENIED** and **DISMISSED**; and it is further

ORDERED, that no Certificate of Appealability shall issue in regard to any of Petitioner's claims; and it is further

ORDERED, that the Clerk serve a copy of this Order on all parties.

IT IS SO ORDERED.

DATED: December 15, 2008
Albany, New York



Lawrence E. Kahn
U.S. District Judge