

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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SAMUEL HAYWOOD MYLES,

Petitioner,

v.

ROBERT WERLINGER,

Respondent.  
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ORDER

13-cv-16-bbc

In an order entered on April 1, 2013, I directed petitioner Samuel Haywood Myles to advise the court whether he wished the court to treat his pleading as a petition for writ of habeas corpus under 28 U.S.C. § 2241 or as a civil complaint under federal law. I gave petitioner until April 11, 2013, in which to respond to the April 1 order. In addition, I warned petitioner that his failure to respond to the court's order would result in dismissal of his petition for failure to show that he is un custody in violation of the Constitution or laws of the United States. It is now April 30, 2013, and petitioner has not responded to the court's order.

Accordingly, IT IS ORDERED that petitioner Samuel Haywood Myles' petition for a writ of habeas corpus under 28 U.S.C. § 2241 is DISMISSED for petitioner's failure to show that he is in custody in violation of the Constitution or law of the United States. The clerk of court is directed to enter judgment for respondent and close this case.

Entered this 2d day of May, 2013.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge