

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

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DAVID EVANS,

Petitioner,

v.

JUDY SMITH, Warden,  
Oshkosh Correctional Institution,

Respondent.  
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ORDER

05-C-0468-C

No objection having been filed in response to the report and recommendation entered herein by the United States Magistrate Judge on December 2, 2005, IT IS ORDERED that the recommendation of the magistrate judge is ADOPTED. Further, IT IS ORDERED that David Evans' petition for writ of habeas corpus is DENIED.

Entered this 21st day of December, 2005.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge