

FILED: September 1, 2023

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-6241
(5:23-hc-02013-BO-RJ)

TODD GIFFEN

Petitioner - Appellant

v.

JOSEPH BIDEN; MERRICK GARLAND; WARDEN, BUTNER FEDERAL
MEDICAL CENTER

Respondents - Appellees

JUDGMENT

In accordance with the decision of this court, the judgment of the district court is affirmed.

This judgment shall take effect upon issuance of this court's mandate in accordance with Fed. R. App. P. 41.

/s/ NWAMAKA ANOWI, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:23-HC-2013-BO

TODD GIFFEN,)
Petitioner,)
v.) ORDER
JOSEPH BIDEN, et al.,)
Respondents.)

Todd Giffen ("petitioner") petitions this court for a writ of habeas corpus *pro se* pursuant to 28 U.S.C. § 2241. On January 23, 2023, United States Magistrate Judge Robert B. Jones, Jr. entered a notice of deficiency notifying petitioner that his action did not comply with Local Rules of Practice and Procedure because he did not file his petition on the proper form and did not pay the five dollar (\$5.00) filing fee or file his application to proceed without prepayment of the fee and affidavit. Petitioner was directed that he must correct the noted deficiencies within 21 days. Petitioner was cautioned that failure to correct the noted deficiencies within the time period provided may result in the dismissal of his action without prejudice. Petitioner failed to comply with the magistrate judge's order within the time period provided. Accordingly, this action is DISMISSED without prejudice. The Clerk of Court is DIRECTED to close this case.

SO ORDERED, this the 21 day of February, 2023.


TERRENCE W. BOYLE
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

TODD GIFFEN,

Petitioner,

v.

JOSEPH BIDEN, MERRICK GARLAND
and WARDEN BUTNER FEDERAL
MEDICAL CENTER,

Respondent.

Judgment in a Civil Case

Case Number: 5:23-HC-2013-BO

Decision by Court.

This action came before the Honorable Terrence W. Boyle, United States District Judge, for consideration after petitioner failed to comply with magistrate judge's order within the time period provided.

IT IS ORDERED AND ADJUDGED that this action is hereby dismissed without prejudice.

This Judgment Filed and Entered on February 22, 2023, with service on:
Todd Giffen, #52221-424
Butner - F.M.C.
P.O. Box 1600
Butner, NC 27509 (via U.S. Mail)

February 22, 2023

Peter A. Moore, Jr.

Clerk of Court

By:

Aquileah Rose
Deputy Clerk