

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 07-3764

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Charles Swarzentruher,

Appellant,

v.

C. Holinka, Warden; FCI Waseca;  
United States Bureau of Prisons,

Appellees.

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\* Appeal from the United States  
\* District Court for the  
\* District of Minnesota.  
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\* [UNPUBLISHED]  
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Submitted: April 7, 2009

Filed: April 10, 2009

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Before RILEY, SMITH, and BENTON, Circuit Judges.

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PER CURIAM.

Federal inmate Charles Swarzentruher appeals from the district court's<sup>1</sup> denial of his 28 U.S.C. § 2241 petition. Upon careful de novo review, see Hill v. Morrison, 349 F.3d 1089, 1091 (8th Cir. 2003), we conclude that the district court's decision was proper, see Miller v. Whitehead, 527 F.3d 752, 756-57 (8th Cir. 2008). Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47B.

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<sup>1</sup>The Honorable John R. Tunheim, United States District Judge for the District of Minnesota, adopting the report and recommendation of the Honorable Arthur J. Boylan, United States Magistrate Judge for the District of Minnesota.