

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION

MORRIS B JOYNER,

Petitioner,

v.

CASE NO. 1:07-cv-00165-MP-GRJ

JAMES R MCDONOUGH,

Respondent.

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**ORDER**

This matter is before the Court on Doc. 28, Report and Recommendation of the Magistrate Judge, which recommends that the petition for a writ of habeas corpus, Doc. 1, be denied, and that a certificate of appealability be denied. Petitioner has not objected to the recommendation, and the time for doing so has passed. Finding no plain error, it is accordingly

**ORDERED AND ADJUDGED:**

1. The Report and Recommendation of the Magistrate Judge, Doc. 28, is ACCEPTED and incorporated herein.
2. The petition for writ of habeas corpus, Doc. 1, is DENIED and a certificate of appealability is DENIED.

**DONE AND ORDERED** this 22nd day of August, 2011

*s/Maurice M. Paul*

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Maurice M. Paul, Senior District Judge