

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

LARRY PORTER,

Petitioner,

v.

CASE NO. 1:08-cv-00233-MP-GRJ

STATE OF FLORIDA,

Respondent.

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ORDER

This matter is before the Court on Doc. 22, Report and Recommendation of the Magistrate Judge, which recommends that the amended petition for writ of habeas corpus, Doc. 8, be dismissed without prejudice. 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. 15, is ACCEPTED and incorporated herein.
2. The amended petition for writ of habeas corpus, Doc.8, is DISMISSED without prejudice.

DONE AND ORDERED this 26th day of July, 2011

s/Maurice M. Paul

Maurice M. Paul, Senior District Judge