

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

DANNY ALLEN GREEN,

Petitioner,

v.

CASE NO. 1:09-cv-00204-MP-GRJ

WALTER A MCNEIL,

Respondent.

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ORDER

This matter is before the Court on Doc. 76, in which Mr. Green objects to the Court's order at Doc. 75. Previously, the Court accepted the Report and Recommendation and rejected Mr. Green's argument that his constitutional rights were violated by the lack of a probable cause affidavit supporting the charging information. The Court's order stated: "The Court agrees that Mr. Green's claim that the state information was deficient involves only state law and does not trigger federal constitutional review." Doc. 71. In the motion at Doc. 76, petitioner contends that his argument that "no supporting probable cause affidavit exists for any alleged offense in the State Information" remains unaddressed. However the statement quoted above from the order at Doc. 71 does in fact address that claim. Accordingly, it is hereby

ORDERED AND ADJUDGED:

The motion at Doc. 76 is denied.

DONE AND ORDERED this 21st day of October, 2011

s/Maurice M. Paul

Maurice M. Paul, Senior District Judge