

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

EDWARD GEORGE JONES,

Petitioner,

v.

CASE NO. 1:11-cv-00269-MP-GRJ

SECRETARY, FLORIDA
DEPARTMENT OF CORRECTIONS,

Respondent.

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ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated April 8, 2013. (Doc. 32). The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). The time for filing objections has passed, and none have been filed.

Having considered the Report and Recommendation, and any objections thereto timely filed, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is hereby

ORDERED AND ADJUDGED:

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.
2. Respondent's Motion to Dismiss (doc. 25) is GRANTED in part and DENIED in part.

3. Ground 5 of the Amended Petition (doc. 5) is DISMISSED as untimely and this matter is referred back to the magistrate judge for further proceedings on Grounds 1 through 4 of the Amended Petition.

DONE AND ORDERED this 21st day of May, 2013

s/Maurice M. Paul
Maurice M. Paul, Senior District Judge