

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

UNITED STATES OF AMERICA,

v.

1:13cv62-WS

EARL JEFFERY BARBER,

Defendant.

ORDER DISMISSING PETITIONER'S
PETITION FOR WRIT OF HABEAS CORPUS

Before the court is the magistrate judge's report and recommendation docketed March 27, 2013. See Doc. 3. The magistrate judge recommends that the petitioner's petition for writ of habeas corpus be dismissed. The defendant has filed objections (doc. 5) to the report and recommendation.

Having carefully considered the report and recommendation in light of the defendant's objections, this court has determined that the report and recommendation should be adopted.

Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation is ADOPTED and incorporated by reference into this order of the court.
2. The petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 (doc. 1) is hereby DISMISSED.
4. The clerk is directed to enter judgment stating: "All claims are DISMISSED

without prejudice."

5. The defendant's motion to amend (doc. 4) is DENIED.

DONE AND ORDERED this 30th day of April, 2013.

s/ William Stafford _____
WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT JUDGE