

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

REGINALD WALTER DARLING,

Petitioner,

v.

CASE NO. 1:15-cv-00167-MP-CJK

STATE OF FLORIDA,

Respondent.

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ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated August 18, 2015 on Doc. 4. The Magistrate Judge has recommended that the 28 U.S.C. § 2254 Petition for Writ of Habeas Corpus, Doc. 1, be dismissed for lack of jurisdiction, and that the certificate of appealability be denied. Doc. 4 at 4. The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to 28 U.S.C. § 636(b)(1). Petitioner has filed objections on Doc. 6. I have made a de novo review based on those objections.

Having considered the Report and Recommendation, and the timely filed objections, 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, Doc. 4, is ADOPTED and incorporated by reference in this order.
2. The Petition for Writ of Habeas Corpus, Doc. 1, is DISMISSED for lack of jurisdiction.

3. The Certificate of Appealability is DENIED.
4. The Clerk of Court is directed to close the file.

DONE AND ORDERED this 22nd day of October, 2015

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