

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION

JOE BARNES,

PETITIONER,

-vs-

Case No. 1:16-cv-00028-WTH-EMT

FLORIDA DEPARTMENT OF CORRECTIONS SECRETARY,

RESPONDENT.

ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated March 13, 2017. (ECF No. 22). 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). Petitioner has filed objections at ECF No. 23. 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:

The Report and Recommendation of the Magistrate Judge, ECF No. 22, is accepted and incorporated herein by reference. The Clerk is directed to enter the following judgment: "The petition under 28 U.S.C. § 2254, ECF No. 1, is denied. A certificate of appealability is denied." The Clerk is directed to close the file.

IT IS SO ORDERED.

DONE and ORDERED at Gainesville, Florida this 7<sup>th</sup> day of August, 2017.



UNITED STATES DISTRICT JUDGE