

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

JOHNNY ANTHONY GETTIS, III,
Petitioner,

vs.

Case No. 3:08cv91/MCR/EMT

WALTER McNEIL,
Respondent.

_____ /

ORDER

This cause comes on for consideration upon the magistrate judge’s Report and Recommendation dated August 25, 2010. (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). I have made a de novo determination of any timely filed objections.

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 now **ORDERED** as follows:

1. The magistrate judge’s Report and Recommendation is adopted and incorporated by reference in this order.
2. The petition for writ of habeas corpus (doc. 1) is **DENIED**.
3. A certificate of appealability is **DENIED**.

DONE AND ORDERED this 21st day of October, 2010.

sl M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE