

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

R. CASPER ADAMSON,

Petitioner,

vs.

Case No. 3:08cv225/MCR/EMT

WALTER A. McNEIL,

Respondent.

_____ /

ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated November 19, 2008 (Doc. 23). 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 habeas petition challenging the DOC's use of Form DC6-229A, the Close Management Daily Record of Segregation, to evaluate inmates' eligibility to earn incentive gain time (Doc. 1) is **DENIED**.

DONE AND ORDERED this 9th day of December, 2008.

s/ M. Casey Rodgers

**M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE**