

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

MARQUIS DEWAYNE PRIM,
Petitioner,

vs.

Case No. 3:08cv446/RV/EMT

FIRST JUDICIAL CIRCUIT COURT OF
ESCAMBIA COUNTY FLORIDA
and WARDEN OF DRAPER CORRECTIONAL FACILITY,
Respondents.

_____ /

ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated May 27, 2009 (Doc. 21). Petitioner has been furnished a copy of the report and recommendation and has 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 all timely filed objections.

Having considered the report and recommendation, and any timely filed 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 amended petition for writ of habeas corpus (Doc. 9) is **DISMISSED as moot**.

DONE AND ORDERED this 26th day of June, 2009.

/s/ Roger Vinson

ROGER VINSON

SENIOR UNITED STATES DISTRICT JUDGE