

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

TERRENCE KIMBROUGH,
Petitioner,

vs.

Case No.: 3:08cv552/LAC/MD

EDWIN BUSS,
Respondent.

ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated May 5, 2011. The 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), and I have made a de novo determination of those portions to which an objection has been made.

Having considered the report and recommendation and the 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 (doc. 7) is DENIED.
3. The clerk is directed to close the file.
4. A certificate of appealability is DENIED.

DONE AND ORDERED this 10th day of June, 2011.

s/L.A. Collier

LACEY A. COLLIER
SENIOR UNITED STATES DISTRICT JUDGE