

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

TIMOTHY A. HOLMES,
Petitioner,

vs.

3:09cv64/RV/CJK

KENNETH S. TUCKER,
Respondent.

ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated October 12, 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 all objections thereto timely filed, I have determined that the report and recommendation should be adopted.

Accordingly, it is now ORDERED:

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), challenging the convictions and sentences in *State of Florida v. Timothy Anton Holmes* in the Circuit Court for Escambia County, Florida, Case Nos. 05-3409, 05-3410, 05-3566, 06-0481, 06-0559, 06-0560, 06-0561, 06-0562, 06-0563, 06-0564, 06-0565 and 06-0619 is DENIED and the clerk is directed to close the file.

3. A certificate of appealability is DENIED.

DONE AND ORDERED this 17th day of November, 2011.

/s/ Roger Vinson _____

ROGER VINSON

SENIOR UNITED STATES DISTRICT JUDGE