

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

CARDEIUS A. WEADEN,
Petitioner,

v.

No. 3:09cv150/LAC/MD

WALTER A. MCNEIL,
Respondent.

ORDER

Upon consideration of the Report and Recommendation of the Magistrate Judge filed on November 8, 2010, pursuant to 28 U.S.C. § 636(b)(1)(B), and no objections having been filed, the Recommendation is adopted as the opinion of the Court.

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 respondent's motion to dismiss (doc. 24) is GRANTED and the petition for writ of habeas corpus (doc. 1) challenging the conviction and sentence in *State of Florida v. Cardeius Arvel Weaden*, entered in the Circuit Court of Escambia County, Florida, case number 06-4829, is DISMISSED WITH PREJUDICE.
3. The clerk is directed to close the file.
4. A certificate of appealability is DENIED.

DONE AND ORDERED this 13th day of December, 2010.

s/L.A. Collier

LACEY A. COLLIER
SENIOR UNITED STATES DISTRICT JUDGE