

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

LARRY L. BLAND # 905797,
Petitioner,

vs.

Case No.: 3:09cv174/MCR/EMT

STATE OF FLORIDA, et al.,
Respondents.

ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated May 27, 2009. (Doc. 14). 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 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. Petitioner's habeas petition (doc. 1) is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction.
3. All pending motions are **DENIED as moot**.

DONE AND ORDERED this 10th day of June, 2009.

sl *M. Casey Rodgers*
M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE