

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

JOSHUA EUGENE ROBINSON,
Petitioner,

v.

Case No.: 3:10cv101 RV/MD

KENNETH S. TUCKER,
Respondent.

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated March 2, 2012. (Doc. 36). 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).

Having considered the Report and Recommendation, and no objections having been 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 28 U.S.C. § 2254 petition for writ of habeas corpus (doc. 1), challenging the conviction and sentence in *State of Florida v. Robinson* in the Circuit Court of Escambia County, Florida, case no. 04-CF2689, is DENIED and the clerk is directed to close the file.
3. Certificate of appealability is DENIED.

DONE AND ORDERED this 9th day of April, 2012.

s/ Roger Vinson

ROGER VINSON
SENIOR UNITED STATES DISTRICT JUDGE