

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

JIMMY EDWARD GATLIN,  
Petitioner,

v.

Case No. 3:10cv386/MCR/MD

SAM CULPEPPER,  
Respondent.

---

ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated August 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). No objections have been filed.

Having considered the report and recommendation and the record of this case, 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 petition for writ of habeas corpus (doc. 1) is DENIED.
3. The clerk is directed to close this file.
4. A certificate of appealability is DENIED.

DONE AND ORDERED this 21st day of September, 2011.

sl *M. Casey Rodgers*

M. CASEY RODGERS  
CHIEF UNITED STATES DISTRICT JUDGE