

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

CHARLES ELLIS OWEN,
Petitioner,

vs.

Case No. 3:11cv350/LAC/CJK

SECRETARY OF THE FLORIDA
DEPARTMENT OF CORRECTIONS,
Respondent.

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated January 8, 2013. (Doc. 42). The parties have been furnished a copy of the Report and Recommendation and have 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, 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 amended petition for writ of habeas corpus (doc. 32), challenging the judgment of conviction and sentence in *State of Florida v. Charles Ellis Owen* in the Circuit Court for Okaloosa County, Florida, Case No. 07-CF-2561 is DENIED, and the clerk is directed to close the file.

3. A certificate of appealability is DENIED.

DONE AND ORDERED this 11th day of February, 2013.

s/L.A. Collier

LACEY A. COLLIER
SENIOR UNITED STATES DISTRICT JUDGE