

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

JIMMY W. JOINER,
Petitioner,

vs.

Case No. 3:11cv554/RV/CJK

UNITED STATES OF AMERICA,
Respondent.

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated May 29, 2012. (Doc. 11). 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). I have made a de novo determination of objections filed.

Having considered the Report and Recommendation, and the timely filed objections thereto, 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 respondent's motion to dismiss (doc. 9) is GRANTED.
3. The amended petition for writ of habeas corpus filed under 28 U.S.C. § 2241 (doc. 7) is DISMISSED with prejudice, as petitioner has not demonstrated entitlement to proceed under that section.
4. The clerk is directed to close the file.

DONE AND ORDERED this 3rd day of July, 2012.

/s/ Roger Vinson _____
ROGER VINSON
SENIOR UNITED STATES DISTRICT JUDGE