

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

JIMMY EUGENE COLESON,
Petitioner,

vs.

Case No.: 3:12cv96/MCR/EMT

MICHAEL D. CREWS,
Respondent.

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated February 4, 2013 (doc. 31). 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 the timely filed objections (see doc. 33).¹

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. The amended petition for writ of habeas corpus (doc. 10) is **DENIED**.
3. A certificate of appealability is **DENIED**.

DONE AND ORDERED this 25th day of March, 2013.

M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE

¹ Petitioner filed an Application for Certificate of Appealability to the District Court (doc. 33), which the court has construed as an objection to the Report and Recommendation.