

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

RANDY LAVERN SPENCER,  
Petitioner,

vs.

3:12cv246/MCR/CJK

R.P. TIFFT, et al.,  
Respondents.

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ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated January 14, 2013. 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), and I have made a de novo determination of those portions to which an objection has been made (*see* doc. 59). Having considered the report and recommendation and all objections thereto timely filed, I have determined that the report and recommendation should be adopted.

Accordingly, it is now ORDERED:

1. The magistrate judge's report and recommendation is adopted and incorporated by reference in this order.
2. The petitioner's Motion for Judgment on the Pleadings (doc. 14) is DENIED.

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

*M. Casey Rodgers*

M. CASEY RODGERS  
CHIEF UNITED STATES DISTRICT JUDGE