

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

ZEDERRICK O. JOHNSON,

Petitioner,

vs.

Case No. 3:12cv392/RV/CJK

MICHAEL D. CREWS,

Respondent.

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated October 7, 2013. (Doc. 22). 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 those portions to which an objection has been made.

Having considered the Report and Recommendation and the objections thereto timely filed (doc. 23), I have determined that the Report and Recommendation should be adopted.

Accordingly, it is ORDERED:

1. The magistrate judge's Report and Recommendation (doc. 22) is adopted and incorporated by reference in this order.

2. Respondent's motion to dismiss (doc. 19) is GRANTED.
 3. Petitioner's habeas corpus petition filed under 28 U.S.C. § 2254 (doc. 1) is DISMISSED for lack of subject-matter jurisdiction.
 4. The Clerk is directed to close the file.
 5. A certificate of appealability is DENIED.
- DONE AND ORDERED this 8th day of November, 2013.

/s/ Roger Vinson _____

ROGER VINSON
SENIOR UNITED STATES DISTRICT JUDGE