

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

STEVEN FOREST CAPPS,

Petitioner,

v.

Case No. 3:13cv26/LC/CJK

JULIE L. JONES,

Respondent.

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ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated February 5, 2015. (Doc. 35). 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 ORDERED:

1. The magistrate judge's Report and Recommendation (doc. 35) is adopted and incorporated by reference in this order.

2. The petition for writ of habeas corpus (doc. 1), challenging the judgment of conviction and sentence in *State of Florida v. Steven Forrest Capps*, Okaloosa County, Florida, Circuit Court Case Number 08-CF-2602, is DENIED.

3. The clerk is directed to close the file.

4. A certificate of appealability is DENIED.

DONE AND ORDERED this 10th day of March, 2015.

s/L.A. Collier

LACEY A. COLLIER

SENIOR UNITED STATES DISTRICT JUDGE