

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

SCOTT J. BISHOP,
Petitioner,

v.

Case No.: 3:13cv118/MCR/EMT

SECRETARY, FLORIDA DEPARTMENT OF
CORRECTIONS,
Respondent.

_____/

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated September 18, 2013 (doc. 18). 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). The court has made a de novo determination of the timely filed objections.

Having considered the Report and Recommendation, and the objections thereto timely filed, the court concludes 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. Petitioner's habeas petition (doc. 1) is **DISMISSED for lack of jurisdiction**, pursuant to 28 U.S.C. § 2244(b).
3. A certificate of appealability is **DENIED**.

DONE AND ORDERED this 10th day of October, 2013.

M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE