

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

AKEENA LAYAMBA TARVER,

Petitioner,

v.

Case No. 3:13cv396/RV/CJK

MICHAEL D. CREWS,

Respondent.

_____ /

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated September 30, 2014. (Doc. 23). 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. 23) is adopted and incorporated by reference in this order.
2. Respondent's motion to dismiss (doc. 17) is GRANTED.
3. The petition for writ of habeas corpus (doc. 1), challenging petitioner's

judgment of conviction and sentence in *State of Florida v. Akeena Layamba Tarver* in the Circuit Court for Okaloosa County, Florida, Case No. 09-CF-2422, is DISMISSED WITH PREJUDICE.

4. The clerk is directed to close the file.
5. A certificate of appealability is DENIED.

ORDERED on this 31st day of October, 2014.

/s/ Roger Vinson _____

ROGER VINSON

SENIOR UNITED STATES DISTRICT JUDGE