

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION

KIMBERLY M. CANNON,

Petitioner,

v.

Case No. 3:13cv474/MCR/CJK

SECRETARY, DEPARTMENT OF  
CORRECTIONS,

Respondent.

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**ORDER**

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated May 27, 2014. (Doc. 24). 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 all timely objections (see doc. 25). Having considered the Report and Recommendation and all objections thereto timely filed, the Court finds that the Report and Recommendation should be adopted.

Accordingly:

1. The Magistrate Judge's Report and Recommendation (doc. 24) is adopted and incorporated by reference in this Order.
2. Respondent's motion to dismiss (doc. 21) 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. Kimberly Mary Cannon* in the Circuit Court for Santa Rosa County, Florida, Case No. 08-CF-0854, is **DISMISSED WITH PREJUDICE**.

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

**DONE AND ORDERED** this 10th day of June, 2014.

*M. Casey Rodgers*

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**M. CASEY RODGERS  
CHIEF UNITED STATES DISTRICT JUDGE**