

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

JEFFREY ALLEN SHOEMAKER,

Petitioner,

v.

Case No. 3:15cv002-LC/CAS

**JULIE L. JONES, Secretary,
Department of Corrections,**

Respondent.

_____ /

ORDER

This cause comes on for consideration upon the magistrate's report and recommendation dated February 6, 2017. ECF No. 18. The parties have been furnished a copy of the report and recommendation and afforded an opportunity to file objections. No objections were filed.

Having considered the report and recommendation, I have determined that the report and recommendation should be adopted.

Accordingly, it is **ORDERED** as follows:

1. The magistrate's report and recommendation is adopted and incorporated by reference in this order.

2. The petition for writ of habeas corpus filed by Petitioner Shoemaker pursuant to 28 U.S.C. § 2254 is **DENIED**. A certificate of appealability and leave to appeal in forma pauperis is also **DENIED**.

3. The Clerk of Court shall substitute Julie L. Jones, Secretary of the Florida Department of Corrections, as Respondent. Julie L. Jones became Secretary on January 5, 2015, and shall be automatically substituted pursuant to Federal Rule of Civil Procedure 25(d).

DONE AND ORDERED this 8th day of March, 2017.

s/ L.A. Collier

LACEY A. COLLIER
Senior United States District Judge