

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION**

**CARLTON EDWARD EUGENE,**

**Petitioner,**

**v.**

**CASE NO. 3:15cv73-MCR/CAS**

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

**Respondent.**

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**ORDER**

This cause comes on for consideration upon the Report and Recommendation of the magistrate judge dated February 16, 2017. ECF No. 12. 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). I have made a *de novo* determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, I have determined 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. The petition for writ of habeas corpus, ECF No. 1, is **DENIED**.
3. A certificate of appealability is **DENIED**.

**DONE AND ORDERED** this 22nd day of September, 2017.

*s/ M. Casey Rodgers*  
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**M. CASEY RODGERS**  
**CHIEF UNITED STATES DISTRICT JUDGE**