

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

JOSEPH PAUL LOWERY,

Petitioner,

v.

CASE NO. 3:15cv185-MCR-GRJ

SECRETARY, FLA. DEP'T
OF CORRECTIONS,

Respondent.

_____ /

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated July 18, 2017, ECF No. 23, recommending that the Petition be denied. Petitioner has been furnished with a copy of the Report and Recommendation and was afforded an opportunity to file objections pursuant to 28 U.S.C. § 636(b)(1). I have made a *de novo* review of any timely filed objections.

Having considered the Report and Recommendation, 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

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE