

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

RODNEY A PRESSLER,

Petitioner,

v.

CASE NO. 3:15cv503-MCR-GRJ

SECRETARY, DEPT. OF  
CORRECTIONS,

Respondent.

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**ORDER**

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated July 21, 2017. ECF No. 18. 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 the objections filed. *See* ECF No. 19.

Having considered the Report and Recommendation, and the timely filed objections thereto, the Court has determined that the Report and Recommendation should be adopted.

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

1. The Magistrate Judge's Report and Recommendation, ECF No. 18, is adopted and incorporated by reference in this Order.

2. The Motion to Dismiss, ECF No. 12, is **GRANTED** and the Petition is **DISMISSED** as time-barred and unexhausted, and alternatively **DENIED** on the merits. A Certificate of Appealability is **DENIED**.

**DONE AND ORDERED** this 15th day of September, 2017.

*M. Casey Rodgers*

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