

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

DOUGLAS WAYNE LEWIS, JR.,

Petitioner,

v.

Case No. 3:15cv512/RV/CJK

SECRETARY, DEPARTMENT OF
CORRECTIONS,

Respondent.

ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated November 28, 2016. (Doc. 21). 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). No objections have been filed.

Having considered the Report and Recommendation, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is ORDERED:

1. The Magistrate Judge's Report and Recommendation (doc. 21) is adopted and incorporated by reference in this order.

2. Respondent's motion to dismiss (doc. 15) 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. Douglas Wayne Lewis, Jr.*, in the Circuit Court for Escambia County, Florida, Case No. 06-CF-4535, is DISMISSED for lack of jurisdiction, as an unauthorized second or successive habeas corpus application.

4. The clerk is directed to close the file and to send petitioner the Eleventh Circuit's form application for leave to file a second or successive petition.

5. A certificate of appealability is DENIED.

ORDERED on this 29th day of December, 2016.

/s/ Roger Vinson_____

ROGER VINSON
SENIOR UNITED STATES DISTRICT JUDGE