

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

PHILLIP ARNOLD,

Petitioner,

v.

Case No. 3:15cv540-MCR/CAS

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

Respondent.

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ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated August 9, 2017. ECF No. 16. 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 were filed.

Having considered the Report and Recommendation, the Court has determined that the Report and Recommendation should be adopted.

Accordingly, it is **ORDERED**

1. The Magistrate Judge's Report and Recommendation, ECF No. 16, is adopted and incorporated by reference in this Order.

2. The Petition for writ of habeas corpus, ECF No. 1, is **DENIED**.
3. The Clerk shall close this file.
4. A certificate of appealability is **DENIED**.
5. Leave to appeal *in forma pauperis* is **DENIED**.

DONE AND ORDERED this 19th day of September, 2017.

/s/ M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE