

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

DOUGLAS EDWARDS,

Petitioner,

v.

CASE NO. 3:16cv398-MCR-GRJ

**SECRETARY, FLORIDA DEP'T
OF CORRECTIONS,**

Respondent.

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ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated June 1, 2017. ECF No. 18. The parties 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. Respondent's motion to dismiss for failure to exhaust state remedies, ECF No. 12, is **DENIED**.
3. The clerk is directed to refer the matter to the magistrate judge for further proceedings.

DONE AND ORDERED this 3rd day of July, 2017.

s/ M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE