

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

KENNETH D. LEWIS,

Petitioner,

v.

Case No. 3:16cv645-LC/CAS

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

Respondent.

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ORDER

This cause comes on for consideration upon the Report and Recommendation of the United States Magistrate Judge dated February 24, 2017 (ECF No. 4). Petitioner has been furnished a copy of the Report and Recommendation and has 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** as follows:

1. The Magistrate Judge's Report and Recommendation (ECF No. 4) is adopted and incorporated by reference in this order.

2. The petition for writ of habeas corpus filed by Petitioner Lewis pursuant to 28 U.S.C. § 2254 is **DISMISSED without prejudice**.

3. The Clerk is directed to close the file.

DONE AND ORDERED this 28th day of March, 2017.

s/ L.A. Collier

LACEY A. COLLIER
Senior United States District Judge