

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

DERROW PETERSON,

Petitioner,

v.

Case No. 3:17cv147-LC/CAS

JULIE L. JONES,

Respondent.

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ORDER

This matter is before the Court on the Report and Recommendation of the U.S. Magistrate Judge (ECF No. 4) that Petitioner's "Motion Requesting Court to Accept 'Place Holder' 28 U.S.C. § 2254 Petition/Request Leave to Amend After Exhausting State Remedies" (ECF No. 2) be denied and the petition for writ of habeas corpus (ECF No. 1), filed pursuant to 28 U.S.C. § 2254, be dismissed without prejudice. The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant 28 U.S.C. § 636(b)(1). No objections have been filed.

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

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

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

2. Petitioner's motion (ECF No. 2) is **DENIED** and Petitioner's § 2254 petition (ECF No. 1) is **DISMISSED without prejudice**.

3. The Clerk shall enter judgment and close the file.

DONE AND ORDERED on this 4th day of April, 2017.

s/ L.A. Collier

LACEY A. COLLIER

SENIOR UNITED STATES DISTRICT JUDGE