

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

DAVID N. DWIGGINS,

Petitioner,

v.

CASE NO. 3:17cv247-MCR-CJK

UNITED STATES DISTRICT
COURT FOR THE NORTHERN
DISTRICT OF FLORIDA,

Respondent.

_____ /

ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated June 9, 2017. ECF No. 4. 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). 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. The petition for writ of habeas corpus (doc. 1) is **DISMISSED** due to petitioner's failure to prosecute and/or failure to comply with an order of the court.
3. The clerk is directed to close the file.

DONE AND ORDERED this 6th day of July, 2017.

s/ M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE