

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

SIDNEY MARTS,

Petitioner,

v.

CASE NO. 3:17-cv-260-LC-GRJ

SECRETARY, FLA. 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 26, 2017, (ECF No. 7), recommending that the Petition be dismissed. Petitioner has been furnished with a copy of the Report and Recommendation and was afforded an opportunity to file objections pursuant to 28 U.S.C. § 636(b)(1). I have made a *de novo* determination of the timely filed objections.

Having considered the Report and Recommendation and the objections thereto, 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, (ECF No. 1), is **DISMISSED**.
3. A certificate of appealability is **DENIED**.

**DONE AND ORDERED** this 7<sup>th</sup> day of July, 2017.

*s/L.A. Collier*

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**LACEY A. COLLIER**  
**UNITED STATES SENIOR DISTRICT JUDGE**