

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

JESSIE LEE SHUMAKER,

Petitioner,

v.

Case No.: 3:17cv546-RV/MJF

**SECRETARY OF THE
FLORIDA DEPARTMENT OF CORRECTIONS,**

Respondent.

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ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated December 4, 2019. (Doc. 32). The parties were provided a copy of the Report and Recommendation and were 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 those portions to which an objection was made.

Having considered the Report and Recommendation and all objections thereto timely filed (titled as a "motion") (doc. 35), I conclude that the Report and Recommendation should be adopted.

Accordingly, it is **ORDERED**:

1. The Magistrate Judge's Report and Recommendation (Doc. 32) is adopted and incorporated by reference in this Order.
2. The petition for writ of habeas corpus (Doc. 1), challenging the judgment of conviction and sentence in *State of Florida v. Jessie Lee Shumaker*, Escambia County Circuit Court Case Nos. 2012-CF-1230, 2012-CF-4987, and 2012-CF-5597, is **DENIED**.
3. A certificate of appealability is **DENIED**.
4. The clerk is directed to close this case file.

DONE AND ORDERED this 7th day of February, 2020.

/s/ Roger Vinson

ROGER VINSON

SENIOR UNITED STATES DISTRICT JUDGE