

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION

CYNTHIA LEE BIGGS,

Petitioner,

v.

Case No. 3:17cv681-LC-HTC

MARK S INCH,

Respondent.

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**ORDER**

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated April 3, 2020 (ECF No. 30). 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), and no objections have been filed.

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

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

1. The Magistrate Judge's Report and Recommendation (ECF Doc. 30) is adopted and incorporated by reference in this order.

2. The Petition under 28 U.S.C. § 2254, challenging the conviction in *State v. Biggs*, 2006-CF-1726, in the First Judicial Circuit, in and for Santa Rosa County, Florida, ECF Doc. 1, is DENIED without an evidentiary hearing.
3. A certificate of appealability is DENIED.
4. The Clerk is directed to close the file.

**DONE AND ORDERED** this 16<sup>th</sup> day of May, 2020.

*s/L.A. Collier* \_\_\_\_\_

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