

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

ERIC SCOTT MYERS,

Petitioner,

v.

Case No. 3:18cv223-LC/CAS

**MARK S. INCH, Secretary,
Florida Department of Corrections,**

Respondent.

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ORDER

This cause comes on for consideration upon the Report and Recommendation of the United States Magistrate Judge (ECF No. 50) dated May 14, 2019, recommending that the amended petition for writ of habeas corpus (ECF No. 12) filed pursuant to 28 U.S.C. § 2254 be denied in part and dismissed in part. The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections. I have made a *de novo* determination of the objections filed.

Having considered the report and recommendation and the objections thereto, I have determined that the Report and Recommendation should be adopted.

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

1. The Report and Recommendation (ECF No. 50) is adopted and incorporated by reference in this order.

2. The amended petition for writ of habeas corpus filed by Petitioner Eric Scott Myers (ECF No. 12) pursuant to 28 U.S.C. § 2254 is **DENIED** as to all claims except Grounds 20, 21, 24, 25, 26, 27, 28, 31, 33, 36 and 38, which are **DISMISSED without prejudice**.

3. A certificate of appealability is **DENIED** and leave to appeal in forma pauperis is **DENIED**.

4. The Clerk shall close the file.

DONE AND ORDERED this 5th day of September, 2019.

s/ L.A. Collier

LACEY A. COLLIER

SENIOR UNITED STATES DISTRICT JUDGE