

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

FRANCISCO JOSE BACA,

Petitioner,

v.

Case No. 3:18cv452-RV-CJK

STATE OF FLORIDA,

Respondent.

_____ /

ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated March 26, 2018. (Doc. 2). Petitioner has been furnished a copy of the Report and Recommendation and has 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 those portions to which an objection has been made.

Having considered the Report and Recommendation and the objections thereto timely filed (doc. 3), I have determined that the Report and Recommendation should be adopted.

Accordingly, it is ORDERED:

1. The Magistrate Judge's Report and Recommendation (doc. 2) is adopted and incorporated by reference in this order.

2. Petitioner's "Notice to Stay to File Federal Habeas Corpus" (doc. 1), docketed as a motion, is DENIED without prejudice.

3. This case is DISMISSED for lack of jurisdiction.

4. The clerk is directed to close the file and to send petitioner a § 2254 petition form.

ORDERED on this 9th day of April, 2018.

/s/ *Roger Vinson*

ROGER VINSON

SENIOR UNITED STATES DISTRICT JUDGE