

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

**RICKY PAUL LOMBARDI,**

**Petitioner,**

**v.**

**Case No. 3:18cv1362-RV-HTC**

**MARK S INCH,**

**Respondent.**

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**ORDER**

The magistrate judge issued a Report and Recommendation on October 29, 2020 (ECF No. 22). The parties were furnished a copy of the Report and Recommendation and afforded an opportunity to file---and the petitioner did file (ECF No. 23)---objections pursuant to Title 28, United States Code, Section 636(b)(1). I have made a *de novo* determination of all timely filed objections.

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

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

1. The magistrate judge's Report and Recommendation (ECF No. 22) is adopted and incorporated by reference in this order.
2. The petition under 28 U.S.C. § 2254, challenging the conviction in *State v. Lombardi*, 2013-CF-1131, in the First Judicial Circuit, in and for Escambia County, Florida, ECF Doc. 4, is DENIED without an evidentiary hearing.
3. A certificate of appealability is DENIED.
4. The clerk of court is directed to enter judgment accordingly and close this case.

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

*/s/ Roger Vinson*

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**ROGER VINSON**

**SENIOR UNITED STATES DISTRICT JUDGE**