

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

**OVERTON DIXON,**

**Petitioner,**

**v.**

**Case No. 3:23cv24624-LC/MAF**

**STATE OF FLORIDA,**

**Respondent.**

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**ORDER**

This matter is before the Court on the Report and Recommendation of the U.S. Magistrate Judge dated April 5, 2024 (ECF No. 21), that the amended petition for writ of habeas corpus (ECF No. 5), filed pursuant to 28 U.S.C. § 2241, be dismissed for lack of jurisdiction as moot, and Respondent's motion to dismiss (ECF No. 18) be denied as moot. The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant 28 U.S.C. § 636(b)(1). I have made a de novo determination of the objections filed.

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

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

1. The Report and Recommendation (ECF No. 21) is adopted and incorporated by reference in this order.

2. The Clerk shall enter judgment stating, “The amended petition for writ of habeas corpus (ECF No. 5) is **DISMISSED for lack of jurisdiction as moot** and Respondent’s motion to dismiss (ECF No. 18) is **DENIED as moot**. Any certificate of appealability is **DENIED** and leave to appeal in forma pauperis is also **DENIED**.”

3. The Clerk shall close the file.

**DONE AND ORDERED** on this 9<sup>th</sup> day of May, 2024.

          s/L.A. Collier          

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