

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

KENNETH L BRYANT,

Petitioner,

v.

CASE NO. 4:08-cv-00349-MP-WCS

WALTER A MCNEIL,

Respondent.

_____ /

ORDER

This matter is before the Court on Doc. 16, Report and Recommendation, regarding Petition for Writ of Habeas Corpus. The Magistrate Judge has recommended that the 28 U.S.C. § 2254 Petition for Writ of Habeas Corpus, Doc.1, filed by Kenneth L. Bryant, challenging the sentence imposed after revocation of probation on his earlier conviction for aggravated child abuse causing great bodily harm in case number 1999-CF-3600A, and his convictions for possession of contraband at a county detention facility and possession of cocaine with intent to sell in case number 2004-CF-2912A, all in the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, be denied with prejudice and that a certificate of appealability be denied pursuant to § 2254 Rule 11(a). No party has objected to the recommendation, and the time for doing so has passed. Finding no plain error, it is hereby

ORDERED AND ADJUDGED:

1. The Report and Recommendation of the Magistrate Judge, Doc. 16, is ADOPTED and incorporated herein.
2. Petition for Writ of Habeas Corpus, Doc.1, is DENIED with prejudice.
3. Certificate of Appealability is DENIED.

DONE AND ORDERED this 3rd day of January, 2011

s/Maurice M. Paul

Maurice M. Paul, Senior District Judge