

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

PAUL BRANCH,

Petitioner,

v.

CASE NO. 4:08-cv-00447-MP-WCS

WALTER MCNEIL, STATE OF FLORIDA,

Respondents.

\_\_\_\_\_ /

**ORDER**

This matter is before the Court on Doc. 21, Report and Recommendation regarding Doc. 1, Petition for Writ of Habeas Corpus Filed by Paul Branch. The Magistrate Judge has recommended that 28 U.S.C. § 2254 Petition for writ of habeas corpus filed by Paul Branch challenging his conviction for possession of cocaine in the Circuit Court of the Second Judicial Circuit, in and for Jefferson County, Florida, case number 04-077-CFA, 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. 21, 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 26th day of January, 2011

*s/Maurice M. Paul*  
Maurice M. Paul, Senior District Judge