

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

EDMUND MAYE,

Petitioner,

vs.

CASE NO. 4:08-cv-577-SPM/GRJ

KENNETH S. TUCKER,
SECRETARY, FLORIDA DEPARTMENT
OF CORRECTIONS,

Respondent.

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ORDER ADOPTING REPORT AND RECOMMENDATION

THIS CAUSE comes before the Court for consideration of the Magistrate Judge's Report and Recommendation (doc. 51). Petitioner was furnished a copy and filed objections (doc. 54).

Upon consideration, and despite the Petitioner's objections, I have determined that the Report and Recommendation is correct and should be adopted. Petitioner's objections essentially reargue the same points reflected in the petition and addressed by the Report and Recommendation. Because the Court fully agrees with the Magistrate Judge's determination, there is no need to re-address Petitioner's arguments as each point is sufficiently addressed in the Report and Recommendation.

Accordingly, it is hereby ORDERED and ADJUDGED as follows:

1. The Magistrate Judge's Report and Recommendation (doc. 51) is **adopted** and incorporated by reference into this order.
2. The Amended Petition for a Writ of Habeas Corpus (doc. 16) is **denied**.
3. A certificate of appealability is **denied**.

DONE AND ORDERED this 28th day of December, 2011.

S/ Stephan P. Mickle

Stephan P. Mickle

Senior United States District Judge