

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

SCOTT A. STANLEY,

Petitioner,

v.

CASE NO.:4:09cv163-SPM/MD

KENNETH S. TUCKER,

Respondent.

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ORDER

This cause comes before the Court upon Magistrate Judge's report and recommendation (doc. 33) dated July 18, 2012. Petitioner was furnished a copy, and has filed objections (doc. 35).

Pursuant to Title 28, United States Code, Section 636(b)(1), I find that the report and recommendation should be adopted. The Court agrees with the Magistrate Judge's analysis. Accordingly it is

ORDERED AND ADJUDGED:

1. The Magistrate Judge's report and recommendation (doc. 33) is adopted and incorporated by reference in this order.
2. The Amended Petition for Writ of Habeas Corpus (doc. 8) is denied.

3. The certificate of appealability is denied.

DONE AND ORDERED this 27th day of August, 2012.

S/ Stephan P. Mickle
Stephan P. Mickle
Senior United States District Judge