

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

HENRY DEWITT,

Petitioner,

vs.

CASE NO.: 4:09-cv-257-SPM-WCS

STATE OF FLORIDA, et al.,

Respondents.

_____ /

ORDER ADOPTING REPORT AND RECOMMENDATION

THIS CAUSE comes before the court upon the Magistrate Judge's Report and Recommendation (doc. 10). Petitioner has been furnished a copy and has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). No objections have been filed. Having considered the Report and Recommendation, it is hereby ORDERED AND ADJUDGED as follows:

1. The Magistrate Judge's Report and Recommendation (doc. 10) is **adopted** and incorporated by reference in this order.
2. This action is transferred to the Middle District of Florida for all further proceedings.

DONE AND ORDERED this fourteenth day of September, 2009.

s/ Stephan P. Mickle

Stephan P. Mickle
Chief United States District Judge