

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

CHRISTOPHER BAITY,

Petitioner,

vs.

CASE NO.: 4:10-cv-553-SPM-WCS

LARRY CAMPBELL, et al.,

Respondents.

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ORDER ADOPTING REPORT AND RECOMMENDATION

THIS CAUSE comes before the court upon the Magistrate Judge's Report and Recommendation (doc. 5). 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, I find that it is correct and should be adopted. Accordingly, it is hereby ORDERED AND ADJUDGED as follows:

1. The Magistrate Judge's Report and Recommendation (doc. 5) is ***adopted*** and incorporated by reference in this order.
2. The habeas petition is summarily dismissed without prejudice.

DONE AND ORDERED this twenty-ninth day of June, 2011.

s/ Stephan P. Mickle

Stephan P. Mickle
Senior United States District Judge