

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

RODERICK O. MASBURN,

Petitioner,

v.

CASE NO. 4:12-cv-289-RS-EMT

**SECRETARY, DEPARTMENT OF
CORRECTIONS,**

Respondent.

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ORDER

Before me is the Magistrate Judge's Order and Report and Recommendation (Doc. 16). I have reviewed the report and recommendation *de novo*. I have also reviewed Petitioner's Objections (Doc. 17). I note that the Objections do not appear to specifically address or refute the Magistrate Judge's Report and Recommendation.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
2. The Petition under 28 U.S.C. § 2254 by a Person in Custody Pursuant to a State Court Judgment (Doc. 1) is **DENIED**.
3. A certificate of appealability is **DENIED**.

ORDERED on December 4, 2014.

/S/ Richard Smoak

RICHARD SMOAK

UNITED STATES DISTRICT JUDGE