

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

KYLE GRAY,

Petitioner,

v.

Case No. 4:14cv89-MW/CAS

STATE OF FLORIDA,

Respondent.

**ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION**

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation. ECF No. 29. Upon consideration, no objections having been filed by the parties,

IT IS ORDERED:

The report and recommendation is **accepted and adopted** as this Court's opinion. The Clerk shall enter judgment stating, "The § 2254 petition, ECF No. 1, is **DENIED**. A certificate of appealability is **DENIED** and leave to appeal in forma pauperis is **DENIED**." The Clerk shall close the file.

SO ORDERED on January 31, 2017.

**s/Mark E. Walker
United States District Judge**