

**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
REPORT AND RECOMMENDATION**

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation, ECF No. 29, and has also reviewed *de novo* Petitioner's objections to the report and recommendation, ECF No. 34. Accordingly,

IT IS ORDERED:

The report and recommendation is **accepted and adopted**, over Petitioner's objections, 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 February 16, 2017.

s/Mark E. Walker

United States District Judge