

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

RODERICK M. FARLIN,

Petitioner,

v.

4:15cv115-WS/CJK

JULIE L. JONES,

Respondent.

---

ORDER DENYING PETITIONER'S PETITION  
FOR WRIT OF HABEAS CORPUS

Before the court is the magistrate judge's report and recommendation (doc. 22) docketed March 2, 2017. The magistrate judge recommends that Petitioner's petition for writ of habeas corpus be DENIED. Petitioner has filed objections (doc. 25) to the magistrate judge's discussion and recommendation as to Ground One of Petitioner's petition.

In Ground One, Petitioner argued that the state trial court lacked jurisdiction to try him on Count I of the information because the State of Florida failed to include his name in the body of the information for that count. On Petitioner's

second motion for post-conviction relief, the state circuit court rejected Petitioner's jurisdictional argument, finding that the information was not defective but was—instead—in compliance with Fla. R. Crim. P. 3.140 because (1) Petitioner's name was included in the caption of the case, and (2) the first paragraph of body of the information stated that “the above-named defendant” was charged with the separately listed counts. The circuit court's rejection of Petitioner's argument was summarily affirmed on appeal to the Florida First District Court of Appeal.

In addressing Ground One of Petitioner's federal petition for writ of habeas corpus, the magistrate judge correctly determined that the state courts' decision regarding the sufficiency of the challenged information was not contrary to or an unreasonable application of clearly established federal law. Petitioner has not cited any Supreme Court case law that would suggest otherwise.

Upon review of the record and law in light of Petitioner's objections, the court has determined that the magistrate judge's report and recommendation should be adopted. Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation (doc. 22) is adopted and incorporated by reference in this order of the court.
2. Petitioner's petition for writ of habeas corpus (doc. 1), challenging the

judgment of conviction and sentence in *State of Florida v. Roderick Farlin*, Leon County Circuit Court Case No. 10-CF-1413, is DENIED.

3. The clerk shall enter judgment stating: "Petitioner's petition for writ of habeas corpus is DENIED."

4. A certificate of appealability is DENIED.

DONE AND ORDERED this 5th day of April, 2017.

s/ William Stafford  
WILLIAM STAFFORD  
SENIOR UNITED STATES DISTRICT JUDGE