

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

MARLON DEMETRIUS McCARTHAN,

Petitioner,

v.

Case No. 4:15cv406-MW/CJK

JULIE L. JONES,

Respondent.

ORDER ACCEPTING REPORT AND RECOMMENDATION

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation, ECF No. 44, and has also reviewed *de novo* Petitioner's objections to the report and recommendation, ECF No. 47. 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 petition for writ of habeas corpus, ECF No. 1, challenging the judgment of conviction and sentences in *State of Florida v. Marlon McCarthan*, Leon County Circuit Court Case No. 10-CF-1439 is **DENIED**. A Certificate of Appealability is **DENIED**." The Clerk shall close the file.

SO ORDERED on November 13, 2017.

s/Mark E. Walker
United States District Judge