

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

EARL W. CALLOWAY,

Petitioner,

v.

4:16cv221–WS/GRJ

SECRETARY, DEPARTMENT OF  
CORRECTIONS,

Respondent.

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ORDER ADOPTING THE MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION

Before the court is the magistrate judge's report and recommendation (ECF No. 21) docketed April 3, 2019. The magistrate judge recommends that the petitioner's first amended petition for writ of habeas corpus (ECF No. 11) be denied. The petitioner has filed no objections to the magistrate judge's report and recommendation.

Having reviewed the record, this 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 (ECF No. 21) is hereby ADOPTED and incorporated by reference into this order.
2. The petitioner's first amended petition for writ of habeas corpus (ECF No. 11) is DENIED.
3. The clerk shall enter judgment stating: "Petitioner's first amended petition for writ of habeas corpus is DENIED."
4. A certificate of appealability is DENIED. Leave to appeal in forma pauperis is DENIED.

DONE AND ORDERED this 15th day of May, 2019.

s/ William Stafford  
WILLIAM STAFFORD  
SENIOR UNITED STATES DISTRICT JUDGE