

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

THERON SAPP,

Petitioner,

v.

Case No. 4:16cv317-MW/EMT

JULIE L. JONES,

Respondent.

**ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION**

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation. ECF No. 16. 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, "Respondent's Motion to Dismiss, ECF No. 14, is **GRANTED**. Petitioner's habeas petition, ECF No. 1, is

DISMISSED for lack of jurisdiction pursuant to 28 U.S.C. § 2244(b). A certificate of appealability is **DENIED.**” The Clerk shall close the file.

SO ORDERED on May 9, 2017.

s/Mark E. Walker
United States District Judge