

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

TERRA CARROLL,

Petitioner,

v.

4:17cv21–WS/EMT

OFFICE OF THE PUBLIC
DEFENDER and JON WHEELER,

Respondents.

ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

Before the court is the magistrate judge's report and recommendation (doc. 3) docketed January 17, 2017. The magistrate judge recommends that the petitioner's habeas petition (doc. 1) be dismissed. The petitioner has filed no objections to the magistrate judge's report and recommendation.

Having reviewed the magistrate judge's report and recommendation, this court has determined that the magistrate judge correctly determined that the petitioner's habeas petition must be dismissed without prejudice under *Younger v. Harris*, 401 U.S. 37 (1971). Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation (doc. 3) is hereby ADOPTED and incorporated by reference into this order.

2. The petitioner's petition for writ of habeas corpus (doc. 1) is DISMISSED WITHOUT PREJUDICE.

3. The clerk shall enter judgment stating: "Petitioner's petition for writ of habeas corpus is dismissed without prejudice."

DONE AND ORDERED this 22nd day of February, 2017.

s/ William Stafford
WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT JUDGE