

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

DAVID MANSON,

Petitioner,

v.

Case No. 4:20cv333-TKW-MAF

RICKY D. DIXON, Secretary,
Florida Department of Corrections,

Respondent.

_____ /

ORDER

This case is before the Court based on the magistrate judge's Report and Recommendation (Doc. 19). No objections were filed.

Upon due consideration of the Report and Recommendation and the case file, the Court agrees with the magistrate judge's determination that Petitioner's §2254 habeas petition is due to be denied because the record establishes that (1) the state court's disposition of the exhausted claims was not based on an unreasonable application of clearly established federal law or an unreasonable determination of the facts, and (2) the unexhausted claims are procedurally barred (and meritless in any event). Accordingly, it is **ORDERED** that:

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.

2. Petitioner's §2254 habeas petition (Doc. 1) is **DENIED**.
3. A certificate of appealability is **DENIED**.
4. The Clerk shall close the case file.

DONE and ORDERED this 5th day of May, 2022.

T. Kent Wetherell, II

T. KENT WETHERELL, II
UNITED STATES DISTRICT JUDGE