

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

DAVID SYLVESTER LOGAN,
Petitioner,

v.

CASE NO.: 5:06cv10-SPM/EMT

WALTER A. MCNEIL,
Respondent.

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ORDER

This cause comes before the Court for consideration of the Magistrate Judge's Order, Report and Recommendation (doc. 30) dated February 4, 2009. Petitioner has been furnished a copy and afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). No objections have been filed. Having considered the report and recommendation, I have determined that the report and recommendation should be adopted.

Accordingly, it is hereby ORDERED as follows:

1. The magistrate judge's report and recommendation (doc. 30) is ADOPTED and incorporated by reference in this order.

2. The petition for writ of habeas corpus (doc. 1) is denied.

DONE AND ORDERED this 6th day of March, 2009.

s/ Stephan P. Mickle

Stephan P. Mickle
United States District Judge