

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PANAMA CITY DIVISION**

MICHAEL K. GROSS,

Petitioner,

vs.

CASE NO. 5:07cv121/RS/AK

FLORIDA PAROLE COMMISSION,

Respondent.

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**ORDER**

Before the court is the Magistrate Judge's Report and Recommendation (Doc. 27).

Petitioner has not filed objections.

**IT IS ORDERED:**

1. The Magistrate Judge's Report and Recommendation is adopted and incorporated by reference in this Order.
2. Petition for Writ of Habeas Corpus (Doc. 1) is DENIED AS UNTIMELY.
3. This case is dismissed with prejudice.
4. The clerk is directed to close the file.

**ORDERED** on July 9, 2009.

/S/ Richard Smoak

**RICHARD SMOAK  
UNITED STATES DISTRICT JUDGE**