

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

WALLACE GRIGGS,

Petitioner,

v.

CASE NO. 5:07cv211-RH/MD

WALTER A. McNEIL,

Respondent.

ORDER DENYING PETITION

This case is before the court on the magistrate judge's report and recommendation (document 22). No objections have been filed. The report and recommendation is correct and is adopted as the opinion of the court with this additional note.

The requirement to register as a sex offender is a collateral consequence of a guilty plea. The report and recommendation cites a Florida Supreme Court case that so holds. The same is true as a matter of federal law. *See, e.g., United States*

v. Alford, No. 03-10333, slip op. at 7 (11th Cir. Sept. 5, 2003) (“Registration as a sex offender is a collateral consequence.”) (unpublished); *Virsnieks v. Smith*, 521 F.3d 707, 716 (7th Cir. 2008); *Munday v. Lampert*, 215 Fed. Appx. 593, 595 (9th Cir. 2006); *Leslie v. Randle*, 296 F.3d 518, 523 (6th Cir. 2002); *Gore v. Andrews*, No. 96-6093, 1996 WL 627323, at *1 (10th Cir. Oct. 30, 1996).

For these reasons,

IT IS ORDERED:

The report and recommendation is ACCEPTED. The petition challenging the convictions and sentences in Case No. 05-3270, Circuit Court, Bay County, Florida, is DENIED with prejudice. The clerk must enter judgment and close the file.

SO ORDERED on February 9, 2009.

s/Robert L. Hinkle
Chief United States District Judge