

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

VANCE G. MITCHELL,

Petitioner,

vs.

CASE NO. 5:08cv60/RS-GRJ

WALTER A. McNEIL, Secretary of
Florida Department of Corrections,
et al,

Respondent.

_____ /

ORDER

Before me is the Magistrate Judge's Report and Recommendation (Doc. 42).

Petitioner has not filed objections.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
2. The Amended Petition For Writ Of Habeas Corpus (Doc. 11) is **denied**, and a certificate of appealability is denied.
3. The clerk is directed to close the file.

ORDERED on March 29, 2011.

/S/ Richard Smoak

RICHARD SMOAK

UNITED STATES DISTRICT JUDGE