

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

RANDY R. WALKER,

Petitioner,

vs.

CASE NO. 5:08cv252/RS-AK

WALTER McNEIL,

Respondent.

_____ /

ORDER

Before me are the Magistrate Judge's Report and Recommendation (Doc. 27) and Supplemental Report and Recommendation (Doc. 28). Petitioner has not filed objections.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation (Doc. 27) and Supplemental Report and Recommendation (Doc. 28) are adopted and incorporated by reference in this Order.
2. Respondent's Motion to Dismiss (Doc. 16) is granted, and the Amended Petition for Writ of Habeas Corpus (Doc. 6) is denied. This case is dismissed with prejudice.
3. The clerk is directed to close the file.

ORDERED on May 20, 2009.

/S/ Richard Smoak

RICHARD SMOAK

UNITED STATES DISTRICT JUDGE