

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

OTHA L. ABNEY,

Petitioner,

Case No. 5:08cv307/MCR/EMT

MICHAEL D. CREWS,

Respondent.

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ORDER

This cause comes on for consideration upon the Chief Magistrate Judge's Report and Recommendation dated July 18, 2014 (doc. 56). The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). The Court has made a *de novo* determination of the timely filed objections.

Having considered the Report and Recommendation, and the objections thereto timely filed, the Court has determined that the Report and Recommendation should be adopted.

Accordingly, it is now **ORDERED** as follows:

1. The Chief Magistrate Judge's Report and Recommendation is adopted and incorporated by reference in this Order.
2. Petitioner's Rule 60(b) motion for relief from judgment (doc. 48) is **DENIED**.
3. Petitioner's Motion to Stay Proceeding and Expand Record (doc. 62), Amended Leave of Court and Expand Record (doc. 63), and Motion for Appointment of Counsel (doc. 64) are **DENIED**.
4. A certificate of appealability is **DENIED**.

DONE and ORDERED this 29th day of December, 2014.

M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE