

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

CHARLES C. CASE,

Petitioner,

vs.

CASE NO.: 5:09cv39/MCR/MD

WALTER A. MCNEIL,

Respondent.

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ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated December 17, 2009. The petitioner has been furnished a copy of the report and recommendation and has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1), and I have made a de novo determination of those portions to which an objection has been made.

Having considered the report and recommendation and all objections thereto timely filed, I have determined that the report and recommendation should be adopted.

Accordingly, it is now ORDERED:

1. The magistrate judge's report and recommendation is adopted and incorporated by reference in this order.

2. The petition for writ of habeas corpus (doc. 1), challenging the convictions and sentences in *State of Florida v. Charles Clinton Case*, in the Circuit

Court of Jackson County, Florida, case nos. 03-557 and 03-343, are DENIED and the clerk is directed to close the file.

DONE AND ORDERED this 22nd day of April, 2010.

sl M. Casey Rodgers

**M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE**