

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

GENERAL GRANT BELL,

Petitioner,

vs.

CASE NO. 5:10cv267/RS-EMT

WALTER A. McNEIL,

Respondent.

_____ /

ORDER

Before me is the Magistrate Judge's Order and Report and Recommendation (Doc. 4). Petitioner has not filed objections.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
2. This habeas action is dismissed for lack of jurisdiction.
3. A certificate of appealability is **denied**.
4. The clerk is directed to close the file.

ORDERED on December 1, 2010.

/S/ Richard Smoak _____

**RICHARD SMOAK
UNITED STATES DISTRICT JUDGE**