

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

KIRBY BARONVILLE,

Petitioner,

vs.

CASE NO. 5:11-cv-12/RS-CJK

PAIGE AUGUSTINE,

Respondent.

_____ /

ORDER

Before me are the Magistrate Judge's Report and Recommendation (Doc. 13) and Petitioners' Response (Doc. 14). I have considered the response *de novo*.

IT IS 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 filed under 28 U.S.C. § 2241 (Doc. 1) is **DISMISSED with prejudice**, as Petitioner has not demonstrated entitlement to proceed under that section.
3. The Clerk is directed to close the file.

ORDERED on June 19, 2012.

/S/ Richard Smoak
RICHARD SMOAK
UNITED STATES DISTRICT JUDGE