

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

DARIUS WILSON,

Petitioner,

v.

CASE NO. 5:11-cv-133-RS-EMT

KENNETH S. TUCKER,

Respondent.

ORDER

Before me is the Magistrate Judge's Report and Recommendation (Doc. 25).

No objections have been filed.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
2. The Petition for Writ of Habeas Corpus (Doc. 1) is **DENIED**.
3. The certificate of appealability is **DENIED** because Petitioner did not make a substantial showing of the denial of a constitutional right.
4. The clerk is directed to close the file.

ORDERED on July 31, 2012.

/S/ Richard Smoak
RICHARD SMOAK
UNITED STATES DISTRICT JUDGE