

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

THOMAS M. SMITH II,

Petitioner,

v.

Case No. 5:14cv348-RV/CAS

**NICOLE ENGLISH, Warden,
FCI MARIANNA,**

Respondent.

_____ /

ORDER

This cause comes before the Court on the Report and Recommendation of the U.S. Magistrate Judge (ECF No. 8) to deny the petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2241 (ECF No. 1). The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant 28 U.S.C. § 636(b)(1). No objections have been filed. Having considered the Report and Recommendation, I have determined the Report and Recommendation should be adopted.

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

1. The Report and Recommendation (ECF No. 8) is adopted and incorporated by reference in this order.

2. The Clerk shall enter judgment stating, “The petition (ECF No. 1) is **DENIED.**”

3. The Clerk shall close the file.

DONE AND ORDERED on January 27, 2017.

s/ Roger Vinson

ROGER VINSON

SENIOR UNITED STATES DISTRICT JUDGE