

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

JUSTIN EMON WALLER,

Petitioner,

v.

CASE NO. 5:16-cv-00028-WTH-GRJ

N C ENGLISH,

Respondent.

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**ORDER**

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation. (ECF No. 16). The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). The time for filing objections has passed, and none have been filed. Having considered the Report and Recommendation, I have determined that the Report and Recommendation should be adopted. Accordingly, it is hereby

**ORDERED AND ADJUDGED:**

1. The Magistrate Judge's Report and Recommendation is adopted and incorporated by reference in this order.
2. The Clerk shall enter the following judgment: "The First Amended Petition for Writ of Habeas Corpus, ECF No. 4, is dismissed with prejudice." The Clerk is directed to close the file.

**DONE AND ORDERED** this 11th day of December, 2017



UNITED STATES DISTRICT JUDGE