

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

MICHAEL LEROY JOHNSON,

Petitioner,

v.

CASE NO. 5:17cv33/MCR/EMT

BLACKMON, WARDEN,

Respondent.

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**ORDER**

This cause comes on for consideration upon the chief magistrate judge's Report and Recommendation dated August 16, 2017. ECF No. 14. 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). I have made a *de novo* determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, I have determined that the Report and Recommendation should be adopted.

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

1. The chief magistrate judge's Report and Recommendation is adopted and incorporated by reference in this Order.
2. Respondent's motion to dismiss, ECF No. 11, is **GRANTED**.
3. The petition for writ of habeas corpus filed under 28 U.S.C. § 2241, ECF No. 1, is **DISMISSED for lack of jurisdiction**.
4. The clerk is directed to enter judgment accordingly and close the file.

**DONE AND ORDERED** this 22nd day of September, 2017.

*s/ M. Casey Rodgers*  
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**M. CASEY RODGERS**  
**CHIEF UNITED STATES DISTRICT JUDGE**