

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

**MICHAEL CLAIR,**

**Petitioner,**

**v.**

**CASE NO. 5:17cv90/MCR/CJK**

**WARDEN BLACKMON,**

**Respondent.**

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**ORDER**

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated May 3, 2017. ECF No. 6. Petitioner has been furnished a copy of the Report and Recommendation and has 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 those portions to which an objection has been made.

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

Accordingly, it is ORDERED:

1. Petitioner's motion to amend his original petition, ECF No. 4, is DENIED as unnecessary, as petitioner's amended petition, ECF No. 5, was required by court order, ECF No. 2, and was accepted and considered by the court.
2. The Magistrate Judge's Report and Recommendation, ECF No. 6, is adopted and incorporated by reference in this Order.
3. This action is DISMISSED WITH PREJUDICE for lack of jurisdiction, as petitioner has not demonstrated entitlement to proceed under 28 U.S.C. § 2241.
4. The clerk is directed to close the file.

**DONE AND ORDERED** this 24th day of May, 2017.

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