

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

**KARRIECE Q. DAVIS,**

**Petitioner,**

**v.**

**CASE NO. 5:17cv112-MCR/CAS**

**STATE OF FLORIDA,**

**Respondent.**

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**ORDER**

This matter is before the Court on the Report and Recommendation of the U.S. Magistrate Judge. ECF No. 20. The parties have been furnished with a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant 28 U.S.C. § 636(b)(1). I have made a *de novo* determination of any objections timely filed.

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

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

1. The Report and Recommendation, ECF No. 20, is adopted and incorporated by reference in this Order.

2. Respondent's motion to dismiss, ECF No. 17, is **GRANTED**.
3. The § 2254 petition for writ of habeas corpus, ECF No. 1, is **DISMISSED**.
4. A certificate of appealability is **DENIED** and leave to appeal in forma pauperis is also **DENIED**.

**DONE AND ORDERED** this 24th day of July 2018.

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