

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

RICHARD LEE BRECKLE,

Petitioner,

v.

CASE NO. 5:17cv116-MCR/CAS

**FLORIDA DEPARTMENT OF
CORRECTIONS,**

Respondent.

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ORDER

This matter is before the Court on the Report and Recommendation of the U.S. Magistrate Judge dated June 13, 2017. ECF No. 5. 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). I have made a *de novo* review of any timely filed objections.

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. 5, is adopted and incorporated by reference in this Order.

2. The petition for writ of habeas corpus filed by Richard Lee Breckle pursuant to 28 U.S.C. § 2254 is **DISMISSED**.

3. A certificate of appealability is **DENIED** pursuant to Rule 11(a) of the Rules Governing § 2254 Cases in the U.S. District Courts.

DONE AND ORDERED this 17th day of July, 2017.

s/ M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE