

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

THOMAS MICHAEL PALMER,

Petitioner,

v.

Case No. 5:19cv2-MCR-HTC

MARK S. INCH,

Respondent.

_____ /

ORDER

This matter is before the Court on consideration of the magistrate judge's Report and Recommendation dated July 1, 2021 (ECF No. 26). Plaintiff was furnished with a copy of the Report and Recommendation and 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 all timely filed objections. *See* ECF No. 31.

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

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

- (1) The Magistrate Judge's Report and Recommendation (ECF Doc. 26), is adopted and incorporated by reference in this order.

(2) The amended petition under 28 U.S.C. § 2254, challenging the conviction in *State v. Palmer*, 2013-CF-2870, in the Fourteenth Judicial Circuit, in and for Bay County, Florida, ECF Doc. 5, is **DENIED without an evidentiary hearing.**

(3) A certificate of appealability is **DENIED.**

(4) The Clerk is directed to close the file.

DONE AND ORDERED this 4th day of October 2021.

s/ M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE