

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PANAMA CITY DIVISION

TERRY BALDWIN  
Petitioner,

vs.

Case No. 5:21-cv-169-TKW/MAL

WARDEN, F.C.I. MARIANNA,  
Respondent.

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**ORDER**

This case is before the Court based on the magistrate judge's Report and Recommendation (Doc. 23). No objections were filed.

Upon due consideration of the Report and Recommendation and the case file, the Court agrees with the magistrate judge's determination that this case should be dismissed because Petitioner failed to exhaust his administrative remedies and he is not entitled to habeas relief in any event. Accordingly, it is

**ORDERED** that:

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this Order.
2. This case is DISMISSED.
3. The Clerk shall enter judgment in accordance with this Order and close the file.

**DONE and ORDERED** this 17th day of January, 2023.

A handwritten signature in blue ink, appearing to read "T. Kent Wetherell, II", with a stylized flourish at the end.

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**T. KENT WETHERELL, II**  
**UNITED STATES DISTRICT JUDGE**