

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

ELBERT JOHNSON,
Petitioner,

vs.

Case No.: 5:24cv3/MCR/ZCB

RICKY D. DIXON
Respondent.

_____ /

ORDER

The magistrate judge issued a Report and Recommendation on March 22, 2024. (Doc. 11). The Court furnished the petitioner 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.

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

Accordingly, it is **ORDERED**:

1. The magistrate judge's Report and Recommendation (Doc. 11) is adopted and incorporated by reference in this order.

2. The amended § 2254 petition (Doc. 7) is **DISMISSED for lack of jurisdiction** because it is a second or successive petition that was filed without the Eleventh Circuit's permission.

3. The Clerk of Court is directed to enter judgment in accordance with this order and close the case.

DONE AND ORDERED this 4th day of June 2024.

M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE