

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

ERIC DEVON SWEET,  
Petitioner,

vs.

Case No.: 5:24cv164/MCR/ZCB

RICKY D. DIXON,  
Respondent.

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**ORDER**

The magistrate judge issued a Report and Recommendation on August 19, 2024. (Doc. 8). 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. 8) is adopted and incorporated by reference in this order.

2. The 28 U.S.C. § 2254 petition (Doc. 1) 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 and close this case.

**DONE AND ORDERED** this 25<sup>th</sup> day of September 2024.

*M. Casey Rodgers*

**M. CASEY RODGERS**  
**UNITED STATES DISTRICT JUDGE**