

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF FLORIDA  
Miami Division

**Case Number:**  
**08-20964-CIV-MORENO**

YANET DUHARTE,

Petitioner,

vs.

WALTER A. MCNEIL,

Respondent.



**ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION  
AND DENYING PETITION FOR HABEAS CORPUS**

THE MATTER was referred to the Honorable Patrick A. White, United States Magistrate Judge for a Report and Recommendation on Petitioner's Petition for Writ of Habeas Corpus (**D.E. No. 1**), filed on **April 9, 2008**. The Magistrate Judge filed a Report and Recommendation (**D.E. No. 16**) on **January 22, 2009**. The Court has reviewed the entire file and record. The Court has made a *de novo* review of the issues that the objections to the Magistrate Judge's Report and Recommendation present, and being otherwise fully advised in the premises, it is

**ADJUDGED** that United States Magistrate Judge Patrick A. White's Report and Recommendation (**D.E. No. 16**) on **January 22, 2009** is **AFFIRMED** and **ADOPTED**. Accordingly, it is

**ADJUDGED** that Petitioner's objections are **OVERRULED** and the Petition for Habeas Corpus is **DENIED**. This case is **CLOSED** and all pending motions are **DENIED** as **MOOT**.

DONE AND ORDERED in Chambers at Miami, Florida, this 11th day of February, 2009.

  
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FEDERICO A. MORENO  
UNITED STATES DISTRICT JUDGE

Copies provided to:

United States Magistrate Judge Patrick A. White

Counsel and Parties of Record