

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 09-20033-CIV-GOLD/WHITE

HERNAN D. PINEDA,

Petitioner,

v.

WALTER A. MCNEIL,

Respondent.

/

ORDER ADOPTING REPORT AND RECOMMENDATIONS, CLOSING CASE

THIS CAUSE is before the Court on U.S. Magistrate Judge Patrick A. White's Report and Recommendations [DE 13], entered June 19, 2009. The Report recommends that the Motion for Amended Relief [DE 9] as to the Petition for Writ of Habeas Corpus be denied on the basis that authorization from the Eleventh Circuit Court of Appeals to file a successive petition, as required by 28 U.S.C. §2244(b)(3)(A), has not been obtained. No objections to the Report have been filed. Having reviewed the record and applicable law, it is hereby

ORDERED AND ADJUDGED that

1. The Report and Recommendations [DE 13] is ADOPTED.
2. The Motion for Amended Relief [DE 9] is DENIED.
3. This case remains CLOSED.

DONE AND ORDERED in Chambers at Miami, Florida, this 15 day of September, 2009.



THE HONORABLE ALAN S. GOLD
UNITED STATES DISTRICT JUDGE

cc:

All counsel and parties of record
U.S. Magistrate Judge Patrick A. White