

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEVONTE JAQUEZ WARREN,

Petitioner,

Case No. 1:17-cv-157

v.

HONORABLE PAUL L. MALONEY

CARMEN D. PALMER,

Respondent.

/

ORDER ADOPTING REPORT AND RECOMMENDATION

This is a habeas corpus petition filed pursuant to 28 U.S.C. § 2254. Respondent filed a Motion to Dismiss. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on October 24, 2017, recommending that this Court grant the motion and dismiss the petition. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 7) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Motion to Dismiss (ECF No. 5) is GRANTED and the habeas petition is DISMISSED for the reasons stated in the Report and Recommendation.

IT IS FURTHER ORDERED that a certificate of appealability pursuant to 28 U.S.C. § 2253(c) is DENIED as to each issue asserted. *See* RULES GOVERNING § 2254 CASES, Rule 11 (requiring the district court to “issue or deny a certificate of appealability when it enters a final order”). Petitioner has not demonstrated that reasonable jurists would find the Court’s rulings

debatable or wrong. *Slack v. McDaniel*, 529 U.S. 473 (2000); *Murphy v. Ohio*, 263 F.3d 466, 466-67 (6th Cir. 2001).

A Judgment will be entered consistent with this Order.

Dated: November 27, 2017

/s/ Paul L. Maloney

Paul L. Maloney

United States District Judge