

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

SHAWNE D. BROGDON,

Petitioner,

v.

Case No. 5:20cv067-RV/MAF

**MARK INCH, Secretary,
Department of Corrections,**

Respondent.

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ORDER

This matter is before the Court on the Report and Recommendation of the U.S. Magistrate Judge dated November 2, 2020 (ECF No. 20), to dismiss the petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 (ECF No. 1). The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant 28 U.S.C. § 636(b)(1). The petitioner has filed an objection (ECF No. 21), which I have reviewed de novo. Having considered the Report and Recommendation, and the objection thereto, I have determined the Report and Recommendation should be adopted.

Accordingly, it is now **ORDERED** as follows:

1. The Report and Recommendation (ECF No. 20) is adopted and incorporated by reference in this order.

2. The Clerk shall enter judgment stating, “The petition for writ of habeas corpus (ECF No. 1) is **DENIED**. The Motion for Summary Judgment and Expedited Ruling (ECF No. 19) is **DENIED**. Any certificate of appealability is **DENIED** and leave to appeal in forma pauperis is also **DENIED**.”
3. The Clerk shall close the file.

DONE AND ORDERED on this 30th day of November, 2020.

s/ Roger Vinson

ROGER VINSON
SENIOR UNITED STATES DISTRICT JUDGE