

APPENDIX

A

Sup. CT. copy

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

JASON ANTHONY JOHNSON,

Petitioner,

v.

5:15cv34-WS/CAS

STATE OF FLORIDA,

Respondent.

ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

Before the court is the magistrate judge's report and recommendation (doc. 29) docketed April 3, 2017. The magistrate judge recommends that the petitioner's petition for writ of habeas corpus be denied. The petitioner has filed a letter (doc. 30), presumably in response to the magistrate judge's report and recommendation.

Upon review of the record, including the petitioner's letter, the court has determined that the magistrate judge's report and recommendation should be adopted. Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation (doc. 29) is hereby

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ADOPTED and incorporated by reference into this order.

2. The petitioner's petition for writ of habeas corpus (doc. 1) is DENIED.

3. The clerk shall enter judgment stating: "The petitioner's petition for writ of habeas corpus is DENIED."

4. A certificate of appealability is DENIED.

5. Leave to appeal in forma pauperis is DENIED.

DONE AND ORDERED this 15th day of May, 2017.

s/ William Stafford
WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT JUDGE5.

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APPENDIX

B

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 17-12485-B

JASON ANTHONY JOHNSON,

Petitioner-Appellant,

versus

STATE OF FLORIDA,

Respondent-Appellee.

Appeal from the United States District Court
for the Northern District of Florida

ORDER:

To merit a certificate of appealability, appellant must show that reasonable jurists would find debatable both (1) the merits of an underlying claim, and (2) the procedural issues that he seeks to raise. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 478 (2000). Because appellant has failed to satisfy *Slack*'s test, the motion for a certificate of appealability is DENIED.

Appellant's motion for leave to proceed on appeal *in forma pauperis* is DENIED AS MOOT.

/s/ William H. Pryor Jr.
UNITED STATES CIRCUIT JUDGE

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IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 17-12485-B

JASON ANTHONY JOHNSON,

Petitioner-Appellant,

versus

STATE OF FLORIDA,

Respondent-Appellee.

Appeal from the United States District Court
for the Northern District of Florida

Before: WILLIAM PRYOR and JORDAN, Circuit Judges.

BY THE COURT:

Jason Anthony Johnson has filed a motion for reconsideration, pursuant to 11th Cir. R. 22-1(c) and 27-2, of this Court's February 6, 2018, order denying his motions for a certificate of appealability and leave to proceed *in forma pauperis*. Upon review, Johnson's motion for reconsideration is DENIED because he has offered no new evidence or arguments of merit to warrant relief.

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**Additional material
from this filing is
available in the
Clerk's Office.**