[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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No. 13-11094
Non-Argument Calendar

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D.C. Docket No. 0:11-cv-62586-RNS

ORLANDO CANETE,

Petitioner-Appellant,

versus

SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS,

Respondent-Appellee.

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

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(May 13, 2014)

Before WILSON, ANDERSON, and EDMONDSON, Circuit Judges.

PER CURIAM:

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Orlando Canete, a Florida state prisoner, appeals *pro se* the district court's denial of Ground One of his petition for writ of habeas corpus, filed pursuant to 28 U.S.C. § 2254.

The appeal presents this issue:

> Whether the district court erred in denying Ground One of Canete's § 2254 habeas corpus petition, which claimed that the state trial court erred in denying his motion to suppress his post-arrest statements because he was not informed of his right to counsel during questioning, as required under *Miranda v. Arizona*, 384 U.S. 436, 86 S.Ct. 1602, 16 L.Ed.2d 694 (1966).

The district court did not err in denying Ground One of Canete's § 2254 petition. The same claim was raised on Canete's direct appeal in state court. The state appellate court's conclusion that the police officer's warnings were sufficient, under *Miranda*, to inform Canete of his right to have counsel present during questioning was not contrary to, or an unreasonable application of, clearly established federal law as determined by the Supreme Court, nor was it based on an unreasonable determination of the facts. See generally 28 U.S.C. § 2254(d).

AFFIRMED.