

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 06-11841

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT Dec. 21, 2007 THOMAS K. KAHN CLERK
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D. C. Docket No. 01-02323-CV-IJP-TMP

DANIEL SIEBERT,

Petitioner-Appellant,

versus

RICHARD F. ALLEN, Commissioner,
Alabama Department of Corrections,

Respondent-Appellee.

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

(December 21, 2007)

ON REMAND FROM THE SUPREME COURT OF THE UNITED STATES

Before TJOFLAT, BARKETT and WILSON, Circuit Judges.

PER CURIAM:

This case comes to us on remand from the Supreme Court of the United States. See Allen v. Siebert, 552 U.S. ____, 128 S. Ct. 2 (2007), reversing Siebert v. Allen, 480 F.3d 1089 (11th Cir. 2007). In accordance therewith, we hereby AFFIRM the district court's dismissal of Siebert's federal habeas petition as being untimely filed pursuant to 28 U.S.C. § 2244(d).

AFFIRMED.