

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**DAVID L. WATKINS, #219698,** )  
 )  
**Petitioner,** )  
 )  
**v.** )  
 )  
**WARDEN DANIEL, et al.,** )  
 )  
**Respondents.** )

**CASE NO. 2:07-cv-1040-MHT  
[WO]**

**ORDER**

The magistrate judge entered a recommendation (Doc. #13) in this case to which no timely objections have been filed. After a review of the recommendation and after an independent and de novo review of the entire record, the court believes that the recommendation should be adopted. Accordingly, it is ORDERED that the recommendation (Doc. #13) of the magistrate judge is adopted and the petition for habeas corpus relief (Doc. #1) is denied due to petitioner’s failure to file the petition within the one-year period of limitation set forth in 28 U.S.C. § 2244(d)(1).

It is further ORDERED that costs are taxed against petitioner, for which execution may issue.

A separate judgment shall be entered.

Done this 30th day of November, 2009.

/s/ Myron H. Thompson  
**UNITED STATES DISTRICT JUDGE**