

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

HERBERT LEE BUCKHANNON, JR., )  
# 221337, )  
 )  
Petitioner, )  
 )  
v. ) Civil Action No. 2:16cv168-WHA  
 ) (WO)  
WALTER MYERS, *et al.*, )  
 )  
Respondents. )

**ORDER**

On December 26, 2017, the Magistrate Judge filed a Recommendation (Doc. # 10) to which no timely objections have been filed. Upon an independent review of the record and upon consideration of the Recommendation, it is ORDERED as follows:

(1) The Recommendation of the Magistrate Judge (Doc. # 10) is ADOPTED;

(2) Petitioner's petition for writ of habeas corpus under 28 U.S.C. § 2254 (Doc. # 1) is DENIED; and

(3) This case is DISMISSED with prejudice, as the petition was filed after expiration of the one-year limitation period in 28 U.S.C. § 2244(d).

A separate final judgment will be entered.

DONE this 7th day of February, 2018.

/s/ W. Harold Albritton  
W. HAROLD ALBRITTON  
SENIOR UNITED STATES DISTRICT JUDGE