

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

DAVID STEVEN JOHNSON, #187664,)	
)	
Petitioner,)	
)	
v.)	CIVIL ACTION NO. 3:09cv343-TMH
)	
STATE OF ALABAMA, et al.,)	
)	
Respondents.)	

ORDER AND OPINION

On August 9, 2011, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 27). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED and that:

1. The petition for habeas corpus relief filed by David Steven Johnson is DENIED as Johnson failed to file the petition within the one-year period of limitation set forth in 28 U.S.C. § 2244(d)(1).
2. This case is DISMISSED with prejudice.

Done this the 7th day of September, 2011.

/s/ Truman M. Hobbs

SENIOR UNITED STATES DISTRICT JUDGE

