

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

ORLANDO GRAY, #258788,)	
)	
Petitioner,)	
)	
vs.)	CASE NO. 3:13-cv-761-WHA
)	
LEON FORNISS, et al.,)	(WO)
)	
Respondents.)	

ORDER

This case is before the court on the Recommendation of the Magistrate Judge (Doc. #21), entered on June 23, 2015, together with the Petitioner’s Objection (Doc. #22), filed on July 13, 2015.

Following an independent evaluation and *de novo* review of the file in this case, the court finds the objection to be without merit. For the reasons set out in the Recommendation, the court agrees that the one-year limitation period in § 2244(d) expired on September 16, 2013, and, since the Petitioner did not file his § 2254 petition until October 17, 2013, the petition is time-barred. Therefore, the objection is **OVERRULED**, and it is hereby **ORDERED** as follows:

1. The Recommendation of the Magistrate Judge is **ADOPTED**.
2. This case is **DISMISSED** with prejudice pursuant to the provisions of 28 U.S.C. § 2244(d).

DONE this 18th day of August, 2015.

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