

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

WARREN LEE ROBY,)
)
)
 Petitioner,)
v.)
)
 WARDEN BILLY MITCHEM, and the)
 ATTORNEY GENERAL OF THE)
 STATE OF ALABAMA)
)
 Respondents.)

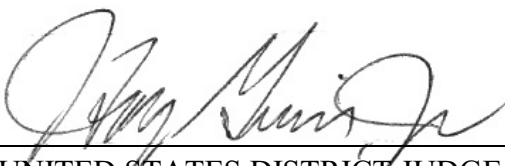
Civil Action Number:
2:11-cv-2197-JFG-PWG

MEMORANDUM OPINION

This is a habeas corpus case brought pursuant to 28 U.S.C. §§ 2254 by Petitioner Warren Lee Roby, *pro se*, an Alabama state prisoner confined at Limestone Correctional Facility. On May 11, 2012, the magistrate judge entered findings and a recommendation that the action is due to be dismissed as time-barred under the one-year statute of limitations of 28 U.S.C. § 2244(d)(1). (Doc. 15). Roby has now filed timely objections to the magistrate judge’s recommendation. (Doc. 16).

Having carefully reviewed and considered *de novo* all the materials in the court file, including the findings and recommendation and Roby’s objections, the court is of the opinion that the magistrate judge’s findings are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. Roby’s objections are due to be and hereby are OVERRULED. As a result, Roby’s § 254 habeas application is due to be DENIED. A separate final judgment will be entered.

DONE and ORDERED 14 May 2012.


UNITED STATES DISTRICT JUDGE
J. FOY GUIN, JR.