

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

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|------------------------|---|---------------------------------|
| JUSTIN MATTHEW WHITE, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | Case No.: 2:12-cv-02011-SLB-SGC |
| |) | |
| PRICE, Warden, et al., |) | |
| |) | |
| Respondents. |) | |

MEMORANDUM OPINION

On July 10, 2015, the magistrate judge entered a report recommending the above-captioned petition for writ of habeas corpus, filed pursuant to 28 U.S.C. § 2254, be denied as untimely and procedurally defaulted. (Doc. 13). The magistrate judge further recommended denial of a certificate of appealability. (*Id.* at 10-11). The parties were afforded time to object to the report and recommendation; no objections have been filed.

After careful consideration of the record in this case and the magistrate judge’s report, the court hereby **ADOPTS** the report of the magistrate judge and **ACCEPTS** her recommendations. Accordingly, the court finds that this matter is due to be dismissed and a certificate of appealability is due to be denied.

A separate order will be entered.

DONE this 10th day of August, 2015.

Sharon Lovelace Blackburn

 SHARON LOVELACE BLACKBURN
 SENIOR UNITED STATES DISTRICT JUDGE