

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

EARL PRESTON HAWKINS,)	
)	
Petitioner,)	
)	CASE NO.:
v.)	
)	7:15-cv-1132-VEH-SGC
WILLIE THOMAS, et al.,)	
)	
Respondent.)	

MEMORANDUM OPINION

This case is a petition for a writ of habeas corpus brought by the petitioner, a state prisoner proceeding *pro se*, pursuant to 28 U.S.C. § 2254. On October 28, 2015, the Magistrate ordered the petitioner to “to **SHOW CAUSE** in writing within fourteen (14) calendar days from the entry date of this order why his § 2254 petition is not due to be denied as barred by the statute of limitations provided by § 2244(d)(1)(A).” (Doc. at 6) (emphasis in original). On November 13, 2015, the petitioner filed his response to that order. (Doc. 3). On November 18, 2015, the Magistrate recommended that

Hawkins’s § 2254 petition be denied as barred by the statute of limitations provided by § 2244(d)(1)(A).

Furthermore, in accordance with Rule 11 of the Rules Governing 2254 Proceedings, the undersigned **RECOMMENDS** a certificate of appealability be **DENIED**.

(Doc. 4 at 9) (emphasis in original). No objections have been filed by any party.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and her recommendation is **ACCEPTED**. The Court **EXPRESSLY FINDS** that the petition for writ of habeas corpus is time barred and therefore due to be **DENIED** and **DISMISSED WITH PREJUDICE**. A Final Judgment will be entered.

DONE this the 15th day of December, 2015.



VIRGINIA EMERSON HOPKINS
United States District Judge