

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

FREDERICK H. LANGE, III,

Petitioner,

v.

WARDEN HETZEL,

Respondent.

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CIVIL ACTION 10-0093-KD-M

ORDER

After due and proper consideration of all pleadings in this file, and a *de novo* determination of those portions of the Recommendation to which objection is made,¹ the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated June 4, 2010, is **ADOPTED** as the opinion of this Court.

It is **ORDERED** that this petition be **DENIED** as time-barred and that this action be **DISMISSED**.

DONE and ORDERED this the 17th day of **June 2010**.

/s/ Kristi K. DuBose

KRISTI K. DUBOSE

UNITED STATES DISTRICT JUDGE

¹ Petitioner filed a Motion for Reconsideration (Doc. 22) which is construed by the Court as an Objection to the Report & Recommendation.