

**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,<sup>1</sup> 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 17<sup>th</sup> day of **June 2010**.

/s/ Kristi K. DuBose  
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**KRISTI K. DUBOSE**  
**UNITED STATES DISTRICT JUDGE**

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