

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

FRANK LEE, JR.,	:	
AIS 154448,	:	
	:	
Petitioner,	:	
	:	
vs.	:	Civil Action No. 13-00543-KD-C
	:	
CYNTHIA STEWART,	:	
	:	
Respondent.	:	

ORDER

After due and proper consideration of all issues raised, and there having been no objections filed, the Report and Recommendation (Doc. 3) of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated November 13, 2013, is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that Petitioner's petition for writ of habeas corpus (Doc. 1) filed pursuant to 28 U.S.C. § 2254 is **DISMISSED** as time-barred pursuant to 28 U.S.C. § 2244(d), that Petitioner is not entitled to a Certificate of Appealability, and that Petitioner is not entitled to appeal *in forma pauperis*.

Judgment in accordance with this Order shall issue by separate document.

DONE and **ORDERED** this the 12th day of **December 2013**.

/s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE