

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

**BRANDON MARQUIS PUGH  
(AIS # 254312),**

**Petitioner,**

**v.**

**LOUIS BOYD,**

**Respondent.**

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**CIVIL ACTION NO. 13-00588-WS-B**

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the Report and Recommendation to which objection is made, including Petitioner’s claim of “actual innocence”, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that Pugh’s habeas petition be **DISMISSED** as barred by the statute of limitations and that he is not entitled to a certificate of appealability, and consequently, is not entitled to appeal *in forma pauperis*.

**DONE** this **20th** day of **October, 2014**.

**s/ WILLIAM H. STEELE**  
**CHIEF UNITED STATES DISTRICT JUDGE**