

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

**IN THE MATTER OF DELTA TOWING,)
LLC, AS OWNER OF THE M/V DELTA)
AMBER, AND DELTA MARINE SERVICE,)
INC., AS PURPORTED OWNER,) CIVIL ACTION NO. 15-00128-KD-M
BROKER, CHARTERER, OR *PRO HAC*)
VICE OWNER OF THE M/V DELTA)
AMBER, FOR EXONERATION FROM)
OR LIMITATION OF LIABILITY; *et al.*,)**

ORDER

After due and proper consideration of the issues raised, and a *de novo* determination of those portions of the Recommendation to which objection is made, the 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 the Motions to Dismiss (Docs. 57, 61, 62) are GRANTED. Accordingly, Defendant Mike Hooks, Inc., as the Owner of the M/V Nicholas, Petition for Exoneration From or Limitation of Liability is DISMISSED with prejudice for lack of subject matter jurisdiction since the petition was untimely filed.

DONE this the 26th day of October 2015.

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