

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

GEORGE WALTER PRESLEY,)
Petitioner,)
)
v.) CIVIL ACTION NO. 16-0598-KD-N
)
CLIFFORD WALKER,)
Chairman, Alabama Board of)
Pardons and Paroles,)
Respondent.)

ORDER

After due and proper consideration of the issues raised, and there having been no objections filed, the Report and Recommendations of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B)-(C), Rule 8(b) of the Rules Governing § 2254 Cases in the United States District Courts, and S.D. Ala. GenLR 72(a)(2)(R), and dated October 2, 2017, (doc. 15) is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that Petitioner George Walter Presley's petition for a writ of habeas corpus under 28 U.S.C. § 2254 (Doc. 1) is **DISMISSED with prejudice** as time-barred under 28 U.S.C. § 2244(d)(1), and that Presley is not entitled to a Certificate of Appealability pursuant to this final adverse order.

The Court also certifies that any appeal by Presley of this dismissal would be without merit and therefore not taken in good faith. Thus, Presley is not entitled to proceed *in forma pauperis* on appeal.

In accordance with Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts ("In every case, the clerk must serve a copy of

the petition and any order on the respondent and on the attorney general or other appropriate officer of the state involved.”), the Clerk of Court is **DIRECTED** to serve copies of this order and the accompanying judgment on the Respondent and the Attorney General of Alabama.

DONE and **ORDERED** this the 25th day of October 2017.

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