

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

JOSEPH SCOTT CAPLES, AIS#295489,	:	
Petitioner,	:	
	:	
v.	:	CIVIL ACTION 17-00169-KD-MU
	:	
WALTER T. MYERS, et al.,	:	
Respondents.	:	

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated May 25, 2017 is **ADOPTED** as the opinion of this Court. Accordingly, it is **ORDERED** that Petitioner Caples' Petition is **DISMISSED** as time-barred under Section 2244(d).

It is further **ORDERED** that Petitioner Caples is not entitled to a certificate of appealability and, therefore, he is not entitled to appeal *in forma pauperis*.

DONE and **ORDERED** this the **26th** day of **June 2017**.

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