

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

**ANTONIO HARDY,** :

**Petitioner,** :

**v.** : **CIVIL ACTION 08-0065-CG-M**

**J. C. GILES,** :

**Respondent.** :

**ORDER**

After due and proper consideration of all pleadings in this file, and there having been no objections filed, 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 this Petition be **DENIED** as time-barred and that this action be **DISMISSED**.

**DONE and ORDERED** this 3<sup>rd</sup> day of November, 2008.

/s/ Callie V. S. Granade  
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CHIEF UNITED STATES DISTRICT JUDGE