

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

ANTONIO HARDY, :

Petitioner, :

v. : **CIVIL ACTION 08-0423-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 3rd day of November, 2008.

/s/ Callie V. S. Granade

CHIEF UNITED STATES DISTRICT JUDGE