

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

HERLAN O'BRIEN DAVIS,	:	
	:	
Petitioner,	:	
	:	
vs.	:	CIVIL ACTION 14-0296-KD-M
	:	
CHERYL PRICE,	:	
	:	
Respondent.	:	

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 this habeas petition be **DISMISSED** as time-barred. It is further ORDERED that any certificate of appealability filed by Petitioner be **DENIED** as he is not entitled to appeal *in forma pauperis*.

DONE this 26th day of March, 2015.

s/ Kristi K. DuBose

KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE