

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

KEVIN W. PEASE,

Petitioner,

vs.

R.V. VEACH,

Respondent.

Case No. 4:10-cv-0023-RRB

**ORDER GRANTING MOTION
TO DISMISS AT DOCKET 25**

Before the Court at Docket 25 is the Respondent with a Motion to Dismiss the Petition for Writ of Habeas Corpus filed by Petitioner pursuant to 28 U.S.C. §§ 2254 and 1331. The motion is opposed by Petitioner at Docket 39 and Respondent replies at Docket 43. The matter was considered by the Magistrate Judge who issued a Final Report and Recommendation at Docket 44 in which he recommended that the Motion to Dismiss be granted because the claim is barred by the one-year statute of limitations established by the Antiterrorist and Effective Death Penalty Act of 1996.

The Court has reviewed all of the relevant pleadings and finds the Motion to Dismiss to be well-founded. Therefore, for the reasons set forth by the Magistrate Judge in his Final Report and

Recommendation, the Motion to Dismiss at **Docket 25** is hereby
GRANTED and this matter is **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

ENTERED this 1st day of December, 2011.

S/RALPH R. BEISTLINE
UNITED STATES DISTRICT JUDGE