

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**WO**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Mark D. Crawford,  
Petitioner,  
vs.  
Charles L. Ryan, et al.,  
Respondents.

No. CV-13-00531-PHX-PGR (MEA)

ORDER

Having reviewed *de novo* the Report and Recommendation of Magistrate Judge Aspey notwithstanding that no party has filed any objections to the Report and Recommendation, the Court finds that the Magistrate Judge correctly determined that the petitioner's habeas corpus petition, originally filed on March 13, 2013 pursuant to 28 U.S.C. § 2254, should be dismissed as time-barred because this action was commenced more than five years after the AEDPA's one-year statute of limitations expired in mid-2007, and the petitioner has made no showing that the limitations period should be equitably tolled. Therefore,

IT IS ORDERED that the Magistrate Judge's Report and Recommendation (Doc.13) is accepted and adopted by the Court.


IT IS FURTHER ORDERED that petitioner Mark D. Crawford's [Second

1 Amended] Petition Under 28 U.S.C. § 2254 for a Writ of Habeas Corpus by a Person  
2 in State Custody (Doc. 6) is denied and that this action is dismissed with prejudice.

3 IT IS FURTHER ORDERED that no certificate of appealability shall issue and  
4 that the petitioner is denied leave to appeal *in forma pauperis* because jurists of  
5 reason would neither find it debatable whether the petitioner has made a substantial  
6 showing of the denial of a constitutional right nor whether the Court is correct in its  
7 procedural ruling.

8 IT IS FURTHER ORDERED that the Clerk of the Court shall enter judgment  
9 accordingly.

10 DATED this 11<sup>th</sup> day of May, 2015.

11  
12   
13 Paul G. Rosenblatt  
United States District Judge

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26