

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**DONALD FELIX WINNETT
ADC #139544**

PLAINTIFF

v.

No. 5:13-cv-126-DPM-BD

**RAY HOBBS, Director, Arkansas
Department of Correction**

DEFENDANT

ORDER

The Court has considered Magistrate Judge Beth Deere's recommended disposition, *No* 32, and Winnett's objections, *No* 34. After conducting a *de novo* review, the Court adopts Judge Deere's recommendation as its own. FED. R. CIV. P. 72(b)(3). Winnett's petition for a writ of habeas corpus is time-barred. 28 U.S.C. § 2244(d)(1)(A). He has made no equitable-tolling argument, and the Court sees no basis for one. Winnett's petition is dismissed with prejudice. The pending motion for reconsideration, *No* 31, is denied as moot. No certificate of appealability will issue because Winnett has not made a substantial showing of the violation of any right.

So Ordered.

D.P. Marshall Jr.

D.P. Marshall Jr.
United States District Judge

1 October 2013
