

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

JOHN L. CLAY
ADC #134685

PETITIONER

v.

No. 5:16-cv-223-DPM

WENDY KELLEY, Director,
Arkansas Department of Correction

RESPONDENT

ORDER

On *de novo* review, the Court adopts Magistrate Judge Harris's thorough recommendation, *No. 20*, and overrules Clay's objections, *No. 21*. FED. R. CIV. P. 72(b)(3). Clay's petition is time-barred; and his case doesn't meet the requirements for statutory or equitable tolling. 28 U.S.C. § 2244(d)(2); *Holland v. Florida*, 560 U.S. 631 (2010). His petition will therefore be dismissed with prejudice. No certificate of appealability will issue. 28 U.S.C. § 2253(c); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

So Ordered.

D.P. Marshall Jr.
D. P. Marshall Jr.
United States District Judge

25 April 2017