

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

BOBBY BOWMAN

PLAINTIFF

V.

Civil No. 10-2016

RAY HOBBS, Interim Director
Arkansas Department of
Corrections

DEFENDANT

ORDER

Now on this 19th day of May 2010, there comes on for consideration Plaintiff's Motion for Reconsideration (doc. 12). Plaintiff's motion includes his objections to the report and recommendation of the Honorable James R. Marschewski (doc. 10). Plaintiff's objections are untimely. However, the Court has fully considered Plaintiff's objections and has reviewed this case *de novo*.

In his objections, Plaintiff states he did not plead guilty in Court and was guilty when he walked in the courtroom (doc. 12). However, the evidence before this Court is that Plaintiff entered into a plea of guilty on July 18, 2005. Plaintiff had one year in which to file a habeas petition, yet he did not file it until January 29, 2010. Accordingly, his petition is barred by the statute of limitations.

The Court, being well and sufficiently advised, finds that Plaintiff's Motion (doc. 12) should be DENIED, and the report and recommendation is proper and should be adopted in its entirety. Accordingly, Plaintiff's § 2241 petition is DISMISSED WITH

PREJUDICE as barred by the statute of limitations.

IT IS SO ORDERED.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge