

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

RAYMOND SETZKE

PLAINTIFF

v.

Civil No. 08-5236

LARRY NORRIS, Director,  
Arkansas Department of Correction

DEFENDANT

**ORDER**

Now on this 15th day of April, 2009, comes on for consideration the **Magistrate Judge's Report and Recommendation** (R&R) issued by the Honorable James Marschewski, United States Magistrate Judge for the Western District of Arkansas (Doc. #23) concerning the petition for Writ of Habeas Corpus (Doc. #1). The Court, being well and sufficiently advised, finds and orders as follows with respect to the same:

1. The petitioner filed objections (Docs. # 27, 28, 41) to the R&R. They are without merit and are denied.

2. The Court, having considered the R&R, the objections, and the various filings of the parties, finds and orders that the R&R should be, and it hereby is **adopted in toto**. Accordingly, the **petition for Writ of Habeas Corpus (Doc. #1) is denied as it is barred by the one year statute of limitations.**

**IT IS SO ORDERED.**

/s/ Jimm Larry Hendren  
JIMM LARRY HENDREN  
UNITED STATES DISTRICT JUDGE