

IT IS ORDERED that Judgment be entered: (1) accepting this Report and Recommendation; and (2) directing that Judgment be entered denying the Petition and dismissing this action with prejudice.

DATED: March 18, 2013

lavid O. Curter

HONORABLE DAVID O. CARTER United States District Judge

Prepared by:

HONORABLE OSWALD PARADA United States Magistrate Judge