

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION**

LONNIE FRITTS,

Petitioner,

v.

CASE NO. 1:14-cv-00207-MP-GRJ

JULIE JONES,¹

Respondent.

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ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated May 12, 2015. (Doc. 12). The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). The time for filing objections has passed, and none have been filed.

Having considered the Report and Recommendation, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is hereby

ORDERED AND ADJUDGED:

1. The Magistrate Judge's Report and Recommendation (doc. 12) is adopted and incorporated by reference in this order.
2. Respondent's Motion to Dismiss Ground Two of the Amended Petition (doc. 9) is **GRANTED**.

¹ The Clerk shall substitute Julie Jones as Secretary of the Florida Department of Corrections in place of Michael D. Crews. As explained in Respondent's motion to dismiss (doc. 9), Julie Jones became Secretary on January 5, 2015, and shall, therefore, be automatically substituted as Respondent pursuant to Federal Rule of Civil Procedure 25(d).

3. Ground Two of the Amended Petition for Writ of Habeas Corpus (doc. 5) is DISMISSED as untimely.
4. This case is remanded to the Magistrate Judge for further proceedings. On remand, the Magistrate Judge shall enter a scheduling order directing the parties to brief Ground One of the Amended Petition on the merits.

DONE AND ORDERED this 13th day of August, 2015

s/Maurice M. Paul
Maurice M. Paul, Senior District Judge