

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

KENNETH D. WILLIAMS, JR.,

Petitioner,

v.

Case No.: 1:23cv233-MW/ZCB

RICKY D. DIXON,

Respondent.

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**ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION**

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation. ECF No. 29. Accordingly, upon consideration, no objections having been filed by the parties,

IT IS ORDERED:

The report and recommendation, ECF No. 29, is **accepted and adopted** as this Court's opinion. Respondent's motion to dismiss, ECF No. 18, is **GRANTED**. Petitioner's motion for evidentiary hearing, ECF No. 21, is **DENIED**. The Clerk shall enter judgment stating, "The second amended 28 U.S.C. § 2254 petition for writ of habeas corpus, ECF No. 10, is **DISMISSED with prejudice** as untimely." A certificate of appealability is **DENIED**. Petitioner's motion for certificate of

appealability, ECF No. 28, is also **DENIED**. The Clerk shall close the file.

SO ORDERED on January 6, 2025.

s/Mark E. Walker
Chief United States District Judge