

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

JOSHUA LEE JONES,

Petitioner,

v.

3:11cv239-WS/EMT

SEC'Y, DEP'T OF CORR.,

Respondent.

ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

Before the court is the magistrate judge's report and recommendation docketed August 1, 2012. See Doc. 36. The magistrate judge recommends that the petitioner's petition for writ of habeas corpus be dismissed with prejudice as untimely. The petitioner has filed no objections to the report and recommendation.

This court having reviewed the magistrate judge's report and recommendation, it is ORDERED:

1. The magistrate judge's report and recommendation (doc. 36) is hereby ADOPTED and incorporated by reference into this order.
2. The petitioner's petition for writ of habeas corpus is DISMISSED with prejudice as untimely.
3. The clerk shall enter judgment stating: "The petitioner's petition for writ of habeas corpus is dismissed with prejudice."

4. A certificate of appealability is DENIED.

DONE AND ORDERED this 4th day of September, 2012.

s/ William Stafford _____
WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT JUDGE