

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

FRANKLIN BROWN,
Petitioner,

vs.

Case No.: 3:13cv64/MCR/EMT

MICHAEL D. CREWS,
Respondent.

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated March 20, 2014 (doc. 30). 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), and the Court has made a *de novo* determination of all timely filed objections (doc. 32).

Having considered the Report and Recommendation, and the timely filed objections, the Court concludes that the Report and Recommendation should be adopted.

Accordingly, it is now **ORDERED** as follows:

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.
2. Respondent's motion to dismiss (doc. 25) is **GRANTED**.
3. The petition for writ of habeas corpus (doc. 1) is **DISMISSED** with prejudice as untimely.
4. A certificate of appealability is **DENIED**.

DONE AND ORDERED this 8th day of September, 2014.

sl M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE