

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

DOUGLAS WAYNE LEWIS, JR.,

Petitioner,

v.

Case No. 3:13cv119/MCR/EMT

**SECRETARY, DEPARTMENT
OF CORRECTIONS,**

Respondent.

_____ /

ORDER

This cause comes on for consideration upon the Chief Magistrate Judge's Report and Recommendation dated February 14, 2014. (Doc. 23). 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 Court has made a *de novo* determination of the timely filed objections.

Having considered the Report and Recommendation, and the objections thereto timely filed¹, the Court has determined that the Report and Recommendation should be adopted.

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

1. The Chief Magistrate Judge's Report and Recommendation is adopted and incorporated by reference in this Order.
2. Respondent's Motion to Dismiss (doc. 15) is **GRANTED**, and the Petition for Writ of Habeas Corpus (doc. 1) is **DISMISSED** with prejudice as untimely.

¹ The Court granted Petitioner's motion to amend his objections to the Report and Recommendation filed June 5, 2014 (doc. 29) and reviewed same.

3. A certificate of appealability is **DENIED**.

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

s/ *M. Casey Rodgers*
M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE