

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

CHRISTIAN D BORGWALD,

Petitioner,

v.

CASE NO. 3:15-cv-63-LC-GRJ

SECRETARY, DEPT.
OF CORRECTIONS,

Respondent.

_____ /

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated May 22, 2017 (ECF No. 34). 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). I have made a de novo determination of the objections filed.

Having considered the Report and Recommendation, and the timely filed objections thereto, I have determined 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. The Motion to Dismiss, ECF No. 16, is **GRANTED**. The Petition, ECF No. 7, is **DISMISSED** as time-barred and alternatively **DENIED** on the merits. A Certificate of Appealability is **DENIED**.

DONE AND ORDERED this 13th day of June, 2017.

s/*L.A. Collier*

LACEY A. COLLIER
SENIOR UNITED STATES DISTRICT JUDGE