

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

ALLEN MOORE, JR.,

Petitioner,

v.

Case No. 3:15cv499-LC/CAS

JULIE L. JONES,

Respondent.

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ORDER

This matter is before the Court on the Report and Recommendation of the U.S. Magistrate Judge (ECF No. 19) that Respondent's motion to dismiss (ECF No. 10) be granted and the petition for writ of habeas corpus, filed pursuant to 28 U.S.C. § 2254, be dismissed as untimely. The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant 28 U.S.C. § 636(b)(1). No objections have been filed. Having considered the Report and Recommendation, I have determined the Report and Recommendation should be adopted.

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

1. The Report and Recommendation (ECF No. 19) is adopted and incorporated by reference in this order.

2. The Clerk shall enter judgment stating, “Respondent’s motion to dismiss (ECF No. 10) is **GRANTED**. Leave to appeal in forma pauperis is **DENIED**.”

3. The Clerk shall close the file.

DONE AND ORDERED on December 21, 2016.

s/ L.A. Collier

LACEY A. COLLIER
SENIOR UNITED STATES DISTRICT JUDGE