

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

STEPHEN JEFFERY BRACE,
Petitioner,

vs.

Case No.: 3:16cv147/LAC/EMT

FLORIDA DEPARTMENT OF CORRECTIONS
SECRETARY,
Respondent.

_____ /

ORDER

This cause comes on for consideration upon the chief magistrate judge's Report and Recommendation dated May 1, 2017 (ECF No. 20). 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). No objections have been filed.

Having considered the Report and Recommendation, I have 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 (ECF No. 17) is **GRANTED**.
3. The habeas petition (ECF No. 1) is **DISMISSED** with prejudice as untimely.
4. A certificate of appealability is **DENIED**.

DONE AND ORDERED this 31st day of May, 2017.

s/L. A. Collier
LACEY A. COLLIER
SENIOR UNITED STATES DISTRICT JUDGE