

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

LUTHER ARTHUR HORN, III,
Petitioner,

vs.

Case No.: 3:20cv3659/LAC/EMT

MARK S. INCH,
Respondent.

_____ /

ORDER

The chief magistrate judge issued a Report and Recommendation on December 8, 2020 (ECF No. 24). The parties were furnished a copy of the Report and Recommendation and 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 timely filed objections.

Having considered the Report and Recommendation, and the objections thereto, I have determined the Report and Recommendation should be adopted.

Accordingly, it is **ORDERED**:

1. The chief magistrate judge's Report and Recommendation (ECF No. 24) is adopted and incorporated by reference in this order.

2. The Respondent's motion to dismiss (ECF No. 16) is **GRANTED**; and the petition for writ of habeas corpus (ECF No. 1) is **DISMISSED** as untimely.

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

DONE AND ORDERED this 7th day of January, 2021.

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