

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

TIMOTHY LOWE,

Petitioner,

v.

Case No. 3:20-cv-5060-LC-MJF

MARK INCH,

Respondent.

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ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated November 19, 2020. (Doc. 14). The parties were furnished a copy of the Report and Recommendation and were 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 conclude that the Report and Recommendation should be adopted.

Accordingly, it is **ORDERED**:

1. The Magistrate Judge's Report and Recommendation (Doc. 14), is adopted and incorporated by reference in this Order.
2. Respondent's Motion to Dismiss (Doc. 11) is **GRANTED**.

3. The petition for writ of habeas corpus (Doc. 1), challenging the judgment of conviction and sentence in *State of Florida v. Timothy Jerome Lowe*, Escambia County Circuit Court Case No. 2012-CF-6213, is **DISMISSED WITH PREJUDICE** as time barred.

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

5. The Clerk of Court is directed to close this case file.

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

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