

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

JIMMIE POWELL,

Petitioner,

v.

CASE NO. 4:08-cv-00532-MP-WCS

CHARLIE CRIST,
WALTER A MCNEIL,

Respondents.

ORDER

This matter is before the Court on Doc. 10, Report and Recommendation of the Magistrate Judge, recommending that the Petition for Writ of Habeas Corpus be summarily dismissed as untimely. The time for filing objections has passed, and none have been filed. The Court agrees that Petitioner's federal limitations period had already run by the time any state collateral attacks were filed. Thus, this petition is untimely filed. Accordingly, it is hereby

ORDERED AND ADJUDGED:

1. The Report and Recommendation of the Magistrate Judge is adopted and incorporated herein.
2. This case is dismissed with prejudice, and the Clerk is directed to close the file.

DONE AND ORDERED this 22nd day of May, 2009

s/Maurice M. Paul

Maurice M. Paul, Senior District Judge