

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

ELVIS ANTONION ANDRADE QUINTANILLA,

Petitioner,

v.

CASE NO. 4:13cv389-RH/CAS

STATE OF FLORIDA,
HILLSBOROUGH COUNTY, FLORIDA,

Respondent.

ORDER DISMISSING PETITION

This case is before the court on the magistrate judge's report and recommendation, ECF No. 4. No objections have been filed. As correctly set out in the report and recommendation, the petition is time barred.

The objections period provided the petitioner adequate time to assert any disagreement. Thus, for example, had the petitioner filed a state-court collateral challenge to his conviction or sentence sufficient to toll the limitations period, the petitioner could have so noted in objections. He did not. Accordingly,

IT IS ORDERED:

The report and recommendation is ACCEPTED. The clerk must enter judgment stating, "The petition is dismissed." The clerk must close the file.

SO ORDERED on August 28, 2013.

s/Robert L. Hinkle
United States District Judge