

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

HERBERT HOUSE, JR.,

Petitioner,

v.

CASE NO. 4:13-cv-405-MW/CAS

**MICHAEL CREWS, Secretary,
Florida Department of Corrections,**

Respondent.

_____ /

**ORDER ACCEPTING
REPORT AND RECOMMENDATION**

This Court has considered the Magistrate's Report and Recommendation, ECF No.16, filed May 29, 2014, and has also reviewed *de novo* Plaintiff's objections to the report and recommendation, ECF No. 17. Upon consideration

IT IS ORDERED:

The report and recommendation is **accepted and adopted** as this Court's opinion. The Clerk shall enter judgment stating, "The Respondent's motion to dismiss, ECF No.13, is **GRANTED**. The § 2254 petition for writ of habeas corpus, ECF No. 1, is **DISMISSED as untimely**. A certificate of appealability is **DENIED** and leave to appeal *in forma pauperis* is **DENIED**." The Clerk shall

close the file.

SO ORDERED on June 18, 2014.

s/Mark E. Walker
United States District Judge