

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

VICTOR P.HAMPTON,

Petitioner,

v.

4:13cv659-WS

SECRETARY DEPARTMENT OF  
CORRECTIONS, and FLORIDA  
ATTORNEY GENERAL,

Respondents.

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ORDER DISMISSING PETITIONER'S SECTION 2254 PETITION

Before the court is the magistrate judge's report and recommendation dated February 2, 2015. Doc. 19. The magistrate judge recommends that the petitioner's petition for writ of habeas corpus be dismissed as untimely.

On February 19, 2015, the petitioner's copy of the report and recommendation was returned to the clerk's office by the United States Postal Service, stamped "Not deliverable as addressed, unable to forward." See Doc. 20.

Although it is his responsibility to do so, the petitioner has not provided the court with his current address.

Upon review of the record, and in the absence of objections from the petitioner, this court has determined that the recommendation should be adopted.

Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation is adopted and incorporated by reference in this order of the court.
2. The respondent's motion to dismiss (doc. 15) the petitioner's petition for writ of habeas corpus is hereby GRANTED.
3. The petitioner's petition for writ of habeas corpus (doc. 1) is DISMISSED AS UNTIMELY FILED.
4. The clerk shall enter judgment stating: "All claims are DISMISSED."
5. A certificate of appealability is DENIED.

DONE AND ORDERED this 12th day of March, 2015.

s/ William Stafford  
WILLIAM STAFFORD  
SENIOR UNITED STATES DISTRICT JUDGE