

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

ROLANDO ALPHONSO BROWN,

Petitioner,

v.

4:17cv256–WS/CJK

JAMES BLACKWOOD,

Respondent.

ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

Before the court is the magistrate judge's report and recommendation (doc. 24) docketed June 18, 2018. The magistrate judge recommends that the petitioner's petition for writ of habeas corpus be dismissed with prejudice. The petitioner has filed objections (doc. 27) to the magistrate judge's report and recommendation.

Upon review of the record in light of the petitioner's objections, the court has determined that the magistrate judge's report and recommendation is due to be adopted based on the untimeliness of the petitioner's petition for writ of habeas corpus. Accordingly, it is ORDERED:

1. The respondent's motion to dismiss (doc. 14) is GRANTED.

2. The magistrate judge's report and recommendation (doc. 24) is hereby ADOPTED and incorporated by reference into this order.

3. The petitioner's petition for writ of habeas corpus (doc. 1) is DISMISSED with prejudice.

4. The clerk shall enter judgment stating: "The petitioner's petition for writ of habeas corpus is DISMISSED with prejudice."

5. A certificate of appealability is DENIED.

DONE AND ORDERED this 14th day of August, 2018.

s/ William Stafford
WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT JUDGE5.