

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

LOUIS ROBENSON,

Plaintiff,

vs.

CASE NO. 5:08cv178/RS-AK

WALTER McNEIL,

Defendant.

_____ /

ORDER

Before me are the Magistrate Judge's Report and Recommendation (Doc. 25) and Plaintiff's Motion For Reconsideration (Doc. 27), which, out of an abundance of caution, I have considered *de novo* as objections.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation is adopted and incorporated by reference in this Order.
2. The Petition For Writ Of Habeas Corpus (Doc. 12) is denied as untimely.
3. This case is dismissed with prejudice.
4. The clerk is directed to close the file.

ORDERED on December 15, 2008.

/S/ Richard Smoak

RICHARD SMOAK
UNITED STATES DISTRICT JUDGE