

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

STEVEN CAMPBELL,

Petitioner,

vs.

CASE NO. 5:11-cv-24/RS-EMT

KENNETH S. TUCKER,

Respondent.

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ORDER

Before me is the Magistrate Judge's Report and Recommendation (Doc. 16). No objections have been filed.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation is adopted and incorporated by reference in this Order.
2. Respondent's Motion to Dismiss (Doc. 13) is **GRANTED**.
3. The Petition for Writ of Habeas Corpus (Doc. 1) is **DISMISSED with prejudice** as untimely.
4. A certificate of appealability is **DENIED**.
5. The clerk is directed to close the file.

ORDERED on October 11, 2011.

/S/ Richard Smoak
RICHARD SMOAK
UNITED STATES DISTRICT JUDGE