

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

SAM GRIFFIN,

Petitioner,

v.

CASE NO. 5:17cv117-MCR/MJF

JULIE JONES,

Respondent.

_____ /

O R D E R

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated November 29, 2018. ECF No. 36. The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). I have made a *de novo* determination of all timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is now **ORDERED** as follows:

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this Order.
2. The Respondent's motion to dismiss, ECF No. 30, is **GRANTED**.

3. The amended habeas petition, ECF No. 16, is **DISMISSED** as **untimely**.

4. A certificate of appealability is **DENIED**.

DONE AND ORDERED this 18th day of March 2019.

s/ M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE