

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION
CASE NO. 08-22285-CIV-COOKE/WHITE

RODNEY H. HOLMES, JR.,

Petitioner,

v.

DEPARTMENT OF CORRECTIONS,

Respondent.

ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION

THIS MATTER was referred to the Honorable Patrick A. White, United States Magistrate Judge, for a Report and Recommendation on the Petition for Writ of Habeas Corpus [D.E. 1]. Judge White issued a Report and Recommendation [D.E. 19], recommending that this case be dismissed as untimely pursuant to 28 U.S.C. § 2244(d)(1)-(2). As the movant did not file any objections to the Report and Recommendation, it is **ORDERED AND ADJUDGED** that United States Magistrate Judge Patrick A. White's Report and Recommendation is **AFFIRMED AND ADOPTED** as follows:

1. This case is **DISMISSED**.
2. This case is **CLOSED**.

DONE AND ORDERED in Chambers at Miami, Florida this 27th day of August 2009.



MARCIA G. COOKE

United States District Judge

Copies furnished to:

The Honorable Patrick A. White

All counsel of record

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