

United States District Court
for the
Southern District of Florida

Korie Travaro Washington,)	
Petitioner,)	
)	
v.)	Civil Action No. 17-20594-Civ-Scola
Secretary Department of Corrections,)	
Julie Jones, and Attorney General)	
State of Florida, Respondents.)	

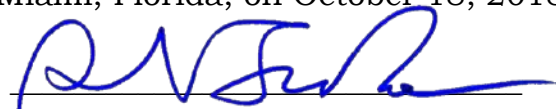
Order Adopting Magistrate’s Report And Recommendation

This case was referred to United States Magistrate Judge Patrick A. White, pursuant to Administrative Order 2003-19 of this Court, for a ruling on all pre-trial, nondispositive matters and for a report and recommendation on any dispositive matters. On September 21, 2018, Judge White issued a report, recommending that the petition for writ of habeas corpus be denied and that the case be dismissed with prejudice. (Rep. of Mag. J., ECF No. 21.) Petitioner Korie Travaro Washington has not filed any objections to the report and the time to do so has passed.

Even though no objections were filed, the Court has nonetheless considered—*de novo*—Judge White’s report, the record, and the relevant legal authorities. The Court finds Judge White’s Report and Recommendation cogent and compelling. As found by Judge White, Washington’s 28 U.S.C. § 2254 petition is untimely. Washington complains that he was unaware of an agreement between the prosecution and a prosecution witness who testified against him during his state-court trial in 2003. Washington further explains that he only became aware of the agreement when he received, in June 2015, a transcript of the witness’s Rule 35 hearing from 2004. The Court agrees with Judge White’s conclusion that Washington “failed to file his petition within one year of ‘the date on which the factual predicate of the claim or claims presented could have been discovered through the exercise of due diligence.’” (Rep. at 21 (quoting 28 U.S.C. § 2244(d)(1)(D)).)

Accordingly, the Court **affirms and adopts** Judge White’s report and recommendation (**ECF No. 21**). The Court **denies** Washington’s petition (**ECF No. 1**). The Court does not issue a certificate of appealability. Finally, the Court directs the Clerk to **close** this case.

Done and ordered in chambers, at Miami, Florida, on October 18, 2018.



Robert N. Scola, Jr.

United States District Judge