

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

DEXTER BETHUNE,	:	
	:	
Petitioner,	:	
	:	No. 3:11-CV-133 (CAR)
v.	:	
	:	Proceeding Under 28 U.S.C. § 2254
RALPH KEMP, Warden,	:	
	:	
Respondent.	:	
_____	:	

ORDER ON RECOMMENDATION

Before the Court is United States Magistrate Judge Charles Weigle’s Recommendation [Doc. 15] to deny Petitioner Dexter Bethune’s 28 U.S.C. § 2254 petition for writ of habeas corpus [Doc. 1]. Petitioner has not entered an objection to the Recommendation. Upon review of the record of the case, the Court agrees with the findings and conclusions of the United States Magistrate Judge that Petitioner failed to file his petition within the one-year period of limitations and has failed to show adequate grounds for equitable tolling. Accordingly, the Recommendation [Doc. 15] is hereby **ADOPTED and MADE THE ORDER OF THE COURT.** Respondent’s Motion to Dismiss is **GRANTED**, and Petitioner’s Petition for Writ of

Habeas Corpus [Doc. 1] is **DENIED**. Additionally, because Petitioner has failed to make a substantial showing of the denial of a constitutional right, a certificate of appealability is **DENIED**.

SO ORDERED, this 23rd day of February, 2012.

S/ C. Ashley Royal
C. ASHLEY ROYAL
UNITED STATES DISTRICT JUDGE

SSH