

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

Astaniel Jarvis MANN.)	
)	
Petitioner,)	
)	
v.)	CIVIL ACTION NO. 5:10-CV-131 (MTT)
)	
Rick JACOBS, <i>Warden,</i>)	
)	
Respondent.)	
)	

ORDER

This matter is before the Court on the Recommendation to Grant (Doc. 13) (the "Recommendation") of United States Magistrate Judge Charles H. Weigle. The Magistrate Judge, having reviewed the Respondent's Motion to Dismiss (Doc. 7) (the "Motion"), recommends granting the Motion because the Petitioner's federal habeas corpus petition was not timely filed. The Petitioner did not file an objection to the Recommendation. The Court has reviewed the Recommendation, and the Recommendation is adopted and made the order of this Court. The Motion is **GRANTED.**

SO ORDERED, this the 8th day of March, 2011.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT