

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

TODD L. WARD,	:	
	:	
Petitioner,	:	
	:	
v.	:	
	:	No. 5:12-CV-8 (CAR)
TOM CHAPMAN, Warden,	:	
	:	
Respondent.	:	
_____	:	

ORDER ON THE RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE

Before the Court is the Recommendation of the United States Magistrate Judge [Doc. 13] to dismiss Petitioner Todd L. Ward’s 28 U.S.C. § 2254 petition seeking habeas corpus relief [Doc. 1] as untimely, thereby granting Respondent Tom Chapman’s Motion to Dismiss [Doc. 9]. Specifically, the Magistrate Judge concluded that Petitioner failed to file his Motion within the one-year statute of limitations period set forth in § 2244(d)(1)(A), and Petitioner failed to file adequate grounds for equitable tolling. Petitioner has not filed an Objection to the Recommendation, and the time in which to do so has expired. Upon review of the Recommendation and consideration of the matter, the Court agrees with the findings and conclusions of the United States Magistrate Judge. The Recommendation [Doc. 13] is therefore **ADOPTED** and **MADE THE ORDER OF THE COURT**. Respondent’s Motion to Dismiss [Doc. 9] is

GRANTED and Petitioner's § 2254 Petition is **DISMISSED with prejudice**.

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 13th day of December, 2012.

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

LMH