

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

<b>CHUCK LANE,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NO. 5:12-CV-167(MTT)</b>
	)	
<b>DAVID FRAZIER,</b>	)	
	)	
<b>Respondent.</b>	)	
	)	

**ORDER**

Before the Court is Magistrate Judge Charles H. Weigle's Recommendation (Doc. 11) on the Respondent's Motion to Dismiss as Untimely (Doc. 7). The Magistrate Judge recommends granting the Respondent's Motion and dismissing the Petitioner's Petition seeking habeas corpus relief, because the Petitioner failed to file his petition within the one-year limitations period. See 28 U.S.C. § 2244(d)(1)(A). Further, the Magistrate Judge found that the Petitioner failed to establish adequate grounds for equitably tolling the limitations period.

The Petitioner objected to the Recommendation. (Doc. 12). Pursuant to 28 U.S.C. § 636(b)(1), the Court has thoroughly considered the Recommendation and Objection, and has made a de novo determination of the portions of the Recommendation to which the Petitioner objects.

The Court accepts and adopts the findings, conclusions and recommendations of the Magistrate Judge. Accordingly, the Respondent's Motion to Dismiss is **GRANTED** (Doc. 7), the Petitioner's Petition is **DISMISSED** (Doc. 1).

**SO ORDERED**, this 13th day of December, 2012.

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