

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

GINO BUTLER,

Petitioner,

v.

DAVID FRAZIER, et al.,

Respondent.

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CIVIL ACTION FILE  
NO. 1:11-CV-682-TWT

ORDER

This is a pro se habeas corpus action. It is before the Court on the Report and Recommendation [Doc. 2] of the Magistrate Judge recommending dismissing the Petition as untimely. The Petitioner's claim of actual innocence is totally without merit. The Court approves and adopts the Report and Recommendation as the judgment of the Court. This action is dismissed.

SO ORDERED, this 2 day of May, 2011.

/s/Thomas W. Thrash  
THOMAS W. THRASH, JR.  
United States District Judge