


U.S. DISTRICT COURT  
 SOUTHERN DISTRICT OF GEORGIA  
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 SOUTHERN DISTRICT OF GEORGIA

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE SOUTHERN DISTRICT OF GEORGIA  
 STATESBORO DIVISION**

CAROL SUE ROBERSON,  
  
 Petitioner,  
  
 v.  
  
 TONY HOWERTON, WARDEN,  
  
 Respondent.

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CIVIL ACTION NO.: CV609-017


**ORDER**

After an independent and de novo review of the entire record, the undersigned concurs with the Magistrate Judge’s Report and Recommendation, to which Objections have been filed. In her Objections, Roberson asserts the gatekeeping provisions of 28 U.S.C. § 2244(b) should not apply to an indigent, pro se petitioner for 20 years. Roberson also asserts that the sentencing court erred by not allowing her to withdraw her plea.

Roberson’s Objections are without merit and are not responsive to the Magistrate Judge’s Report and Recommendation. The Magistrate Judge’s Report and Recommendation is adopted as the opinion of the Court. Respondent’s Motion to Dismiss is **GRANTED**. Roberson’s petition for writ of habeas corpus, filed pursuant to

28 U.S.C. § 2254, is **DISMISSED** as being a second or successive petition. The Clerk of Court is authorized to enter the appropriate judgment of dismissal.

SO ORDERED, this 1<sup>st</sup> day of February, 2010.

  
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B. AVANT EDENFIELD, JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA