

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

TORREY R. SIMMONS

CIVIL ACTION

VERSUS

NO. 16-16046

DARRYL VANNOY

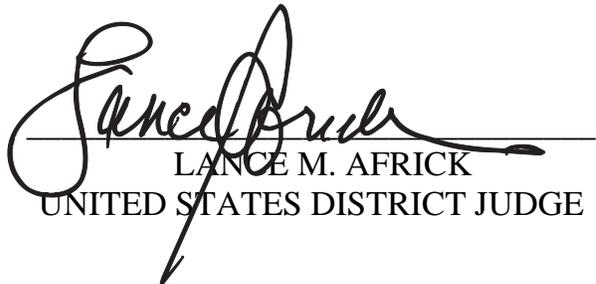
SECTION "I"(2)

ORDER

The court, having considered the complaint, the record, the applicable law, the Report and Recommendation of the United States Magistrate Judge, and the failure of any party to file an objection to the Magistrate Judge's Report and Recommendation, hereby approves the Report and Recommendation of the United States Magistrate Judge and adopts it as its opinion in this matter. Therefore,

IT IS ORDERED that the petition of Torrey R. Simmons for issuance of a writ of habeas corpus under 28 U.S.C. § 2254 be **DISMISSED WITH PREJUDICE** as time-barred.

New Orleans, Louisiana, this 31st day of August, 2017.



LANCE M. AFRICK
UNITED STATES DISTRICT JUDGE