

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JONATHAN LEE HUDSON,

Petitioner,

Case No. 1:07-cv-1155

v.

HONORABLE PAUL L. MALONEY

DEBRA SCUTT,

Respondent,

/

**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by United States Magistrate Judge Ellen S. Carmody in this action (ECF No. 74). The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

THEREFORE, IT IS ORDERED that respondent's motion to dismiss (ECF No. 54) is **GRANTED IN PART AND DENIED IN PART**;

IT IS FURTHER ORDERED that petitioner's motion for equitable tolling (ECF No. 67) is **DENIED**;

IT IS FURTHER ORDERED the habeas corpus petition is **DENIED** for the reasons stated in the Report and Recommendation.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

This action is terminated.

Date: July 23, 2012

/s/ Paul L. Maloney
Paul L. Maloney
Chief United States District