

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**MARY K. COOPER**

**PETITIONER**

**V.**

**NO. 1:10CV218-M-D**

**MARGARET BINGHAM, et al.**

**RESPONDENTS**

**FINAL JUDGMENT**

The Petitioner filed this matter pursuant to 28 U.S.C. § 2254 challenging his state court conviction and sentence. Having been prompted by the State's motion to dismiss, Magistrate Judge Jerry Davis recommended that the petition be dismissed with prejudice as untimely. May 3, 2011, the Petitioner filed Objections to the Report and Recommendation.

The court finds that the Petitioner's arguments are not well-taken and that the objections should be overruled for the reasons stated in the Report and Recommendation, which the court approves and adopts as its opinion.

THEREFORE, it is hereby ORDERED that

(1) Petitioner's objections to the Report and Recommendation of the United States Magistrate Judge are OVERRULED;

(2) the Report and Recommendation (docket entry 20) is APPROVED and ADOPTED as the opinion of this court; and

(3) the Petition is DISMISSED with prejudice; and

(4) this matter is CLOSED.

SO ORDERED, this the 12<sup>th</sup> day of May, 2011.

**/s/ MICHAEL P. MILLS**  
**CHIEF JUDGE**  
**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF MISSISSIPPI**