

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

ANTONIO MAURICE PRICE MCCOLLINS,

PETITIONER

v.

No. 2:08CV90-P-A

LAWRENCE KELLY, ET AL.

RESPONDENTS

FINAL JUDGMENT

In accordance with the memorandum opinion issued today in this cause, that the instant petition for a writ of *habeas corpus* is hereby **DISMISSED** with prejudice and without evidentiary hearing as untimely filed under 28 U.S.C. § 2244(d). As the court decided this case based upon timeliness, rather than exhaustion, the petitioner's motion to stay the case to permit him to exhaust state remedies is **DENIED**.

SO ORDERED, this the 4th day of March, 2009.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE