

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JAMES G. BARNES,)	
)	
Petitioner,)	
)	
v.)	Case No. 4:10CV1705 HEA
)	
JAMES HURLEY,)	
)	
Respondent,)	

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on the Order and Report and Recommendation, of Magistrate Judge Thomas C. Mummert, III that Petitioner’s petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed as untimely. Petitioner has not filed any objections to the Report and Recommendation within the prescribed time period.

After careful consideration, the Court will adopt and sustain the sound reasoning of Judge Mummert as set forth in his Order and Report and Recommendation.

Accordingly,

IT IS HEREBY ORDERED that Petitioner’s petition for writ of habeas

corpus is denied.

A separate judgment is entered this same date.

Dated this 7th day of November, 2013.

A handwritten signature in cursive script, reading "Henry Edward Autrey", positioned above a horizontal line.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE