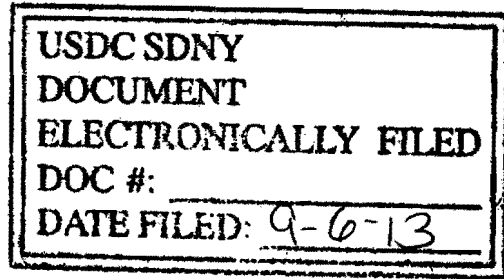


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
:
ANTHONY RODRIGUEZ, :
:
 Petitioner, :
:
 v. :
:
ROBERT KUHLMAN, :
Superintendent, :
:
 Respondent. :
:
-----X

98 Civ. 63 (LAP) (JCF)
ORDER ADOPTING REPORT &
RECOMMENDATION

LORETTA A. PRESKA, Chief United States District Judge:

On July 10, 2013, Magistrate Judge James C. Francis IV issued a Report and Recommendation [dkt. no. 27] (the "Report") with respect to pro se petitioner Anthony Rodriguez's motion pursuant to Rule 60(b)(6) of the Federal Rules of Civil Procedure seeking an order vacating a final judgment that dismissed as untimely his petition for a writ of habeas corpus [dkt. no. 18].

Having reviewed Petitioner's objections¹ and finding Judge Francis's decision to be correct and appropriate upon de novo review, see Fed. R. Civ. P. 72(b), the Report is hereby ADOPTED.

SO ORDERED.

Dated: September 6, 2013
New York, New York


LORETTA A. PRESKA
Chief U.S. District Judge

¹ Petitioner sent a copy of his objections, dated July 25, 2013, directly to Chambers. Chambers received these objections on or about July 29, 2013. Because it appears that Petitioner sent his Objections directly to Chambers as opposed to filing them on the docket, the Court has attached his objections as received in Chambers hereto as Exhibit A.