

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

George W. Jones,

Case No. 2:09-cv-1035

Petitioner,

v.

Timothy Brunsman, Warden,

Judge Michael H. Watson

Respondent.

Magistrate Judge Kemp

**ORDER ADOPTING AND AFFIRMING
THE REPORT AND RECOMMENDATION**

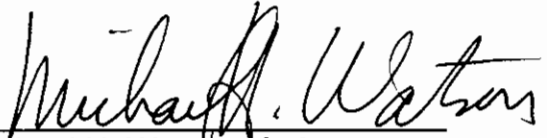
On November 23, 2009, the Magistrate Judge issued a *Report and Recommendation* pursuant to Rule 4 of the Rules Governing Section 2254 Proceedings in the United States District Courts recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 be dismissed as barred by the one-year statute of limitations under 28 U.S.C. §2244(d). Petitioner has filed objections to the Magistrate Judge's *Report and Recommendation*. For the reasons that follow, petitioner's objections are **OVERRULED**. The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

Petitioner objects to the Magistrate Judge's recommendation of dismissal of this habeas corpus petition as time-barred. Although his state court judgment of conviction became final on October 2, 1995, he nonetheless contends that this action is timely because the trial court lacked jurisdiction to enter judgment against him, and therefore the statute of limitations did not begin to run.

Pursuant to 28 U.S.C. §636(b), this Court has conducted a *de novo* review.

Petitioner's argument is not persuasive. For the reasons detailed in the Magistrate Judge's *Report and Recommendation*, petitioner's objections are **OVERRULED**. The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

IT IS SO ORDERED.



Michael H. Watson, Judge
United States District Court