

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

KELLY GENE STAPP	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. CIV-14-420-D
	)	
BRUCE HOWARD, Warden;	)	
ATTORNEY GENERAL OF THE	)	
STATE OF OKLAHOMA,	)	
	)	
Respondents.	)	

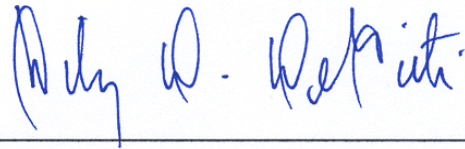
**ORDER**

Petitioner, a state prisoner appearing *pro se*, seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. In accordance with 28 U.S.C. § 636(b)(1)(B) and (C), the matter was referred to United States Magistrate Judge Suzanne Mitchell for initial proceedings. In a Report and Recommendation [Doc. No. 13] issued on July 14, 2014, the Magistrate Judge recommended dismissal of the habeas petition as barred by the applicable statute of limitations, 28 U.S.C. § 2244(d)(1).

The Magistrate Judge specifically advised Petitioner of his right to object to the findings and recommendations set forth therein. She further advised Petitioner that his failure to timely object would constitute a waiver of his right to appellate review of the factual and legal matters in the Report and Recommendation. Petitioner’s deadline for filing objections was August 3, 2014. To date, Petitioner has not filed an objection to the Report and Recommendation or sought an extension of time in which to do so. Accordingly, the Court adopts the Report and Recommendation in its entirety.

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 13] is ADOPTED in its entirety and the petition for writ of habeas corpus [Doc. No. 1] is DISMISSED WITH PREJUDICE as barred by the statute of limitations. A separate judgment shall be entered in this matter.

IT IS SO ORDERED this 6<sup>th</sup> day of August, 2014.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE