IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Ronald De'Ray Skipper,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Civil Action No. 4:14-cv-04061-TLW
	)	
Joseph McFadden, Warden,	)	
	)	
Respondent.	)	
_____	)	

ORDER

The Petitioner, Ronald De'Ray Skipper ("Petitioner"), brought this action, *pro se*, for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 on October 22, 2014. (Doc. # 1). Respondent filed a Return and Memorandum (Doc. #17) and a Motion for Summary Judgment (Doc. #18) on April 2, 2015. Petitioner filed a Response opposing Respondent's motion on July 17, 2015. (Doc. #36). Respondent filed a Reply to Petitioner's response on July 29, 2015. (Doc. #42).

The matter now comes before this Court for review of the Report and Recommendation ("the Report") filed on August 5, 2015 by United States Magistrate Judge Thomas E. Rogers, III, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02(B)(2)(a) (DSC). (Doc. #44). In the Report, the Magistrate Judge recommends that Respondent's Motion for Summary Judgment be granted and that Petitioner's § 2254 petition be dismissed as barred by the statute of limitations. (Doc. #44). Petitioner filed Objections to the Report on September 1, 2015. (Doc. # 50).

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report and Recommendation to which a specific objection is registered, and may accept,

reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In conducting its review, the Court therefore applies the following standard:

> The magistrate judge makes only a recommendation to the Court, to which any party may file written objections...The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the Report and Recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992) (citations omitted).

In light of the standard set forth in Wallace, the Court has reviewed, de novo, the relevant filings, the Report and Recommendation, and Petitioner's objections. After careful review of the Report and objections thereto, the Court **ACCEPTS** the Report. (Doc. #44). Respondent's Motion for Summary Judgment is **GRANTED**. (Doc. #18). Petitioner's § 2254 petition is **DISMISSED**. (Doc. #1).

The Court has reviewed this petition in accordance with Rule 11 of the Rules Governing Section 2254 Proceedings. The Court concludes that it is not appropriate to issue a certificate of appealability as to the issues raised herein. Petitioner is advised that he may seek a certificate from the Fourth Circuit Court of Appeals under Rule 22 of the Federal Rules of Appellate Procedure

IT IS SO ORDERED.

s/ Terry L. Wooten
TERRY L. WOOTEN
Chief United States District Judge

December 10, 2015
Columbia, South Carolina