

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

GLENN A. ROUSE, #263004,)	
)	
Petitioner,)	C/A No.: 6:11-cv-734 DCN
)	
)	
vs.)	
)	
)	<u>ORDER</u>
MICHAEL MCCALL, WARDEN, PERRY)	
CORRECTIONAL INSTITUTION,)	
)	
Respondent.)	
_____)	

This matter is before the court pursuant to petitioner's Motion for Reconsideration of the Order affirming the Magistrate Judge's Report and Recommendation, and granting the Motion for Summary Judgment. This motion was filed on February 8, 2013.

Petitioner argues in his motion that the order stated his objections were not timely filed on July 26, 2012. Although the objections were not received in the Clerk's Office until July 30, 2012, they are considered timely filed because they were received by the mailroom at Perry Correctional Institution on July 26, 2012, the date objections to the Report and Recommendation were due. Indeed, the order stated that objections were timely filed on July 30, 2012. Petitioner's objections were considered by the undersigned. It is therefore

ORDERED, that the plaintiff's Motion for Reconsideration is **DENIED**.

AND IT IS SO ORDERED.



David C. Norton
United States District Judge

February 15, 2013
Charleston, South Carolina