

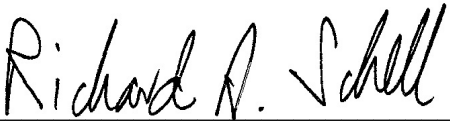


limitations period. However, *Jimenez* was decided after Petitioner's case had been dismissed as time-barred, and he has not shown, nor has this Court found, that *Jimenez* is to be applied retroactively. Furthermore, the Fifth Circuit has repeatedly held that the new method of calculating the limitations period announced in *Jimenez* is not the kind of extraordinary circumstance that warrants relief under Rule 60(b). *See, e.g., Hernandez v. Thaler*, 630 F.3d 420, 422 (5<sup>th</sup> Cir. 2011).

It is accordingly

**ORDERED** that Petitioner's motion for relief from judgment (docket entry #28) is **DENIED**. All motions not previously ruled upon are **DENIED**.

**SIGNED this the 29th day of March, 2012.**



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RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE