

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

LEE DARRELL CRAYTON,

Petitioner,

v.

LORIE DAVIS, *Director*, TDCJ-CID,

Respondent.

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Civil Action No. **3:17-CV-1954-L-BT**

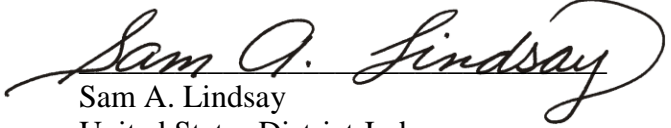
ORDER

Before the court is Lee Darrell Crayton’s (“Petitioner”) Second Amended Petition for Writ of Habeas Corpus (“Second Amended Petition”) (Doc. 41), filed February 6, 2018. No response to the petition was filed. On January 17, 2018, this court ordered Petitioner, proceeding *pro se*, to file this Second Amended Petition after it concluded that Petitioner’s First Amended Petition failed to allege facts supporting a habeas corpus action pursuant to 28 U.S.C. § 2254 (Doc. 39). Petitioner timely filed his Second Amended Petition by the deadline set by the court.

On August 15, 2018, United States Magistrate Judge Rebecca Rutherford entered the Findings, Conclusions, and Recommendation of the United States Magistrate Judge (“Report”), recommending that the court dismiss the petition with prejudice as barred by the statute of limitations. On August 27, 2018, Petitioner filed a document titled “Notice of Right to Object/Appeal” (Doc. 43). Petitioner, however, did not refer or object to the magistrate judge’s Report or raise any factual allegations or legal arguments that could be construed as objections to the recommendation. Thus, the court finds that Petitioner made no timely objections to the Report. Even assuming these were intended as objections, they are indecipherable, incoherent, and, therefore, **overruled**.

Having reviewed the record in this case, Report, and applicable law, and, having conducted a de novo review of the Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **dismisses with prejudice** this action as barred by the applicable statute of limitations.

It is so ordered this 25th day of September, 2018.


Sam A. Lindsay
United States District Judge