

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

SHURMAN STEWART,

Petitioner,

v.

WILLIAM STEPHENS, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

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Civil No. 7:13-CV-013-O


ORDER ACCEPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

After making an independent review of the pleadings, files, and records in this case, of the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and of Petitioner’s objections thereto, I am of the opinion that the findings of fact, conclusions of law, and reasons for dismissal set forth in the Magistrate Judge’s Recommendation are correct and they are hereby adopted and incorporated by reference as the Findings of the Court.

The Magistrate Judge has recommended dismissal of this action as barred by the statute of limitations. Review of the record reflects that Petitioner is not entitled to statutory tolling of the limitation period and that he has failed to set forth any facts or argument that could provide for equitable tolling of the limitation period.

Accordingly, the petition for writ of habeas corpus is DISMISSED as TIME-BARRED.

SO ORDERED this 26th day of October, 2015.


Reed O'Connor
UNITED STATES DISTRICT JUDGE