

United States District Court
Southern District of Texas

ENTERED

March 21, 2016

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

MELQUIADES MENDIOLA, JR.,
Petitioner,

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VS.

CIVIL NO. B-14-261

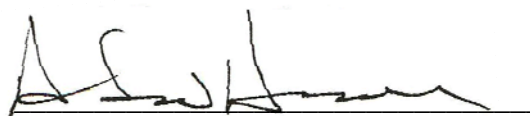
WILLIAM STEPHENS,
Respondent.

ORDER

On February 23, 2016, the United States Magistrate Judge filed a Report and Recommendation [Doc. No. 40]. Petitioner has objected [Doc. No. 43] to said Report and Recommendation.

Having considered *de novo* the Magistrate Judge’s Report and Recommendation and the issues raised by Petitioner’s objections, the Court hereby adopts the Report and Recommendation. Therefore, Melquiades Mendiola, Jr.’s petition for writ of habeas corpus by a person in state custody pursuant to 28 U.S.C. § 2254 is dismissed for being untimely filed and lack of jurisdiction. Further, the Court denies the issuance of a Certificate of Appealability.

Signed this 21st day of March, 2016.



Andrew S. Hanen
United States District Judge