

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

DONALD HOWARD,

Petitioner,

versus

RICK THALER,

Respondent.

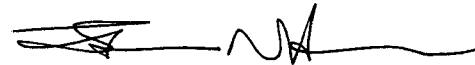
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CIVIL ACTION H-10-2447

Order of Adoption

On November 9, 2010, Magistrate Judge Stephen Wm. Smith issued a Memorandum and Recommendation (10). Howard has filed objections (13). After considering the record and the law, the court adopts the Memorandum and Recommendation as its Memorandum and Order. Howard's petition is denied as time-barred. A certificate of appealability will not issue.

Signed 1/14, 2011, at Houston, Texas.



Lynn N. Hughes
United States District Judge