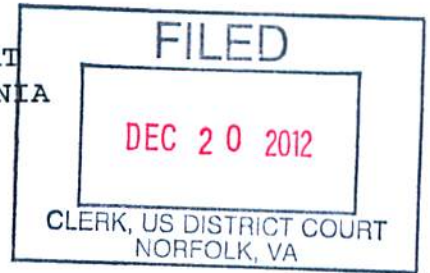


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



DOUGLAS MICHAEL BROWN, JR., :
#1006008, :

Petitioner, :

v. :

HAROLD CLARKE, :
Director Virginia Department :
Of Corrections, :

Respondent. :

Civil Action No. 2:12cv117

FINAL ORDER

This matter was initiated by petition for a writ of habeas corpus under 28 U.S.C. § 2254. The petition alleges violation of petitioner's constitutional rights pertaining to his conviction of grand larceny in the Circuit Court of Colonial Heights, as a result of which he was sentenced to serve 20 years in prison.

The petition was referred to a United States Magistrate Judge for report and recommendation pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Local Civil Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia. The Magistrate Judge's Report and Recommendation filed November 16, 2012 recommends dismissal of the petition with prejudice. Each party was advised of his right to file written objections to the findings and recommendations made by the Magistrate Judge. On December 3, 2012, the court received

