

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

KEALO HIGGINS

VERSUS

N. BURL CAIN

CIVIL ACTION

NO. 07-9729

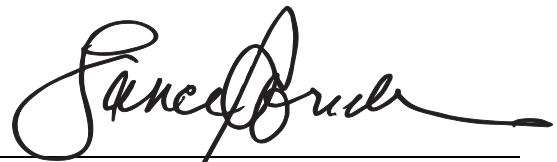
SECTION "F"(4)

ORDER

The Court, having considered the complaint, the record, the applicable law, the Report and Recommendation of the United States Magistrate Judge, and the failure of any party to file an objection to the Magistrate Judge's Report and Recommendation, hereby approves the Report and Recommendation of the United States Magistrate Judge and adopts it as its opinion in this matter. Therefore,

IT IS ORDERED that Kealo Higgins's petition for issuance of a writ of habeas corpus, pursuant to 28 U.S.C. § 2254 is **DENIED** and **DISMISSED WITH PREJUDICE** as time-barred.

New Orleans, Louisiana, this 27th day of December, 2010.



**LANCE M. AFRICK
UNITED STATES DISTRICT JUDGE**