

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

CLARENCE RANDOLPH

CIVIL ACTION

VERSUS

NO. 08-1982

BURL CAIN, WARDEN

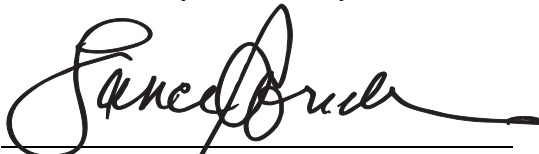
SECTION "I"(3)

ORDER

The Court, having considered the petition, the record, the applicable law and the Report and Recommendation of the United States Magistrate Judge, and the objection by petitioner, Clarence Randolph, which is hereby **OVERRULED**, 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 the petition of Clarence Randolph for issuance of a writ of habeas corpus under 28 U.S.C. § 2254, is hereby **DENIED WITH PREJUDICE**.

New Orleans, Louisiana, this 9th day of February, 2009.



LANCE M. AFRICK
UNITED STATES DISTRICT JUDGE