

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

**JOHNNY PORTER**

**CIVIL ACTION**

**VERSUS**

**NO. 08-3432**

**STEVE RADER, WARDEN**


**SECTION "A"(2)**

**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 the petition of Johnny Porter for issuance of a writ of habeas corpus under 28 U.S.C. § 2254 be **DENIED** and the petition **DISMISSED WITH PREJUDICE** as time barred.

November 3, 2008

  
UNITED STATES DISTRICT JUDGE