

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

BRANDON STEIN

CIVIL ACTION

VERSUS

NO. 08-3927

N. BURL CAIN, WARDEN

SECTION "S"(1)

ORDER

The Court, having considered the petition, the record, the applicable law and the Report and Recommendation of the United States Magistrate Judge, and plaintiff's 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 Brandon Stein for issuance of a writ of habeas corpus under 28 U.S.C. § 2254, is hereby **DENIED WITH PREJUDICE**.

New Orleans, Louisiana, this 6th day of April, 2009.


UNITED STATES DISTRICT JUDGE