

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

**MICHAEL WILLIAMS**

**CIVIL ACTION**

**VERSUS**

**NO. 08-4442**

**BURL CAIN, WARDEN**

**SECTION "T" (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 Michael Williams for issuance of a writ of habeas corpus under 28 U.S.C. § 2254 be **STAYED** due to his failure to exhaust his state court remedies and that the Clerk of Court mark this action **CLOSED** for statistical and administrative purposes.

**IT IS FURTHER ORDERED** that the court shall retain jurisdiction over this matter and that petitioner be allowed to file a motion to reopen these proceedings within thirty (30) days after the Louisiana Supreme Court issues an opinion with regard to State ex rel. Michael Williams v. State of Louisiana, 2008-WR-875, the writ application

presently pending before the Louisiana Fifth Circuit Court of Appeal in which petitioner raises the same claims raised in the instant habeas corpus petition.

New Orleans, Louisiana, this 15th day of April, 2009.

A handwritten signature in black ink, appearing to read "Lance Africk", written over a horizontal line.

LANCE M. AFRICK  
UNITED STATES DISTRICT JUDGE