

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

RANDY LEE BATISTE

CIVIL ACTION

versus

NO. 09-2558

STATE OF LOUISIANA

SECTION: "A" (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 the petitioner'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 own opinion. Accordingly,

IT IS ORDERED that the federal petition of **Randy Lee Batiste** for *habeas corpus* relief is **DISMISSED WITH PREJUDICE**.

June 9, 2009


UNITED STATES DISTRICT JUDGE