

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

BARRY DIGGS

CIVIL ACTION

VERSUS

NUMBER: 10-00787

ROBERT TANNER, WARDEN

SECTION: "J"(5)

O R D E R

Having considered the petition, the record, the applicable law, the Magistrate Judge's Report and Recommendation, and the petitioner's objections to the Magistrate Judge's Report and Recommendation, the Court hereby approves the Magistrate Judge's Report and Recommendation and adopts it as its opinion herein.

Accordingly,

IT IS ORDERED that the application for federal habeas corpus relief of petitioner, Barry Diggs, is **DISMISSED** with prejudice.

New Orleans, Louisiana, this 24th day of November,
2010.


UNITED STATES DISTRICT JUDGE