

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

**JESSE BROWN**

**CIVIL ACTION**

**VERSUS**

**NO. 10-1003**

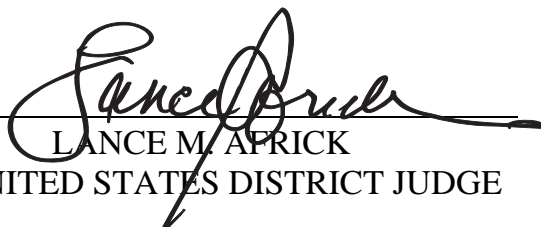
**WARDEN BURL CAIN**

**SECTION "I" (6)**

**ORDER**

The Court, having considered the petition, 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 **Jesse Brown** for issuance of a writ of habeas corpus under 28 U.S.C. § 2254, be, and the same is hereby **DISMISSED WITHOUT PREJUDICE** for failure to exhaust state remedies.

New Orleans, Louisiana, this 11<sup>th</sup> day of April, 2011.

  
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LANCE M. APRICK  
UNITED STATES DISTRICT JUDGE