

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

ANDREW DAVID WETZEL * CIVIL ACTION
VERSUS * NO. 11-695
ROBERT C. TANNER, WARDEN * SECTION "N"(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 objections to the Magistrate Judge's Report and Recommendation filed by the petitioner on April 18, 2011 (Rec. Doc. NO. 6), 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 Andrew D. Wetzel 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.

New Orleans, Louisiana, this 26th day of May, 2011.


UNITED STATES DISTRICT JUDGE