

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

ANDREW D. WETZEL

CIVIL ACTION

VERSUS

NO. 11-1194

ROBERT C. TANNER, WARDEN

SECTION "N" (6)

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 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 Andrew Wetzel for issuance of a writ of habeas corpus under 28 U.S.C. § 2254, is hereby **DENIED WITHOUT PREJUDICE**.

New Orleans, Louisiana, this 8th day of July, 2011.


UNITED STATES DISTRICT JUDGE