

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

**EARL JOHNSON**

**CIVIL ACTION**

**VERSUS**

**NO. 12-974**

**N. BURL CAIN, WARDEN  
LOUISIANA STATE PENITENTIARY**

**SECTION "E"(1)**

**O R D E R**

The Court, having considered the complaint, 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, 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 Earl Johnson for issuance of a writ of habeas corpus under 28 U.S.C. § 2254 be **DENIED** and **DISMISSED WITH PREJUDICE**.

**New Orleans, Louisiana, this** 5th **day of November, 2013.**

  
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**SUSIE MORGAN**  
**UNITED STATES DISTRICT JUDGE**