

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

DEREK MITCHELL

CIVIL ACTION

VERSUS

NUMBER: 12-1752

LYNN COOPER, WARDEN

SECTION: "B"(5)

ORDER, REASONS AND JUDGMENT

Based upon our reviews of the state court proceedings, petitioner's claims, the Magistrate Judge's Report and Recommendation, petitioner's objections (Record Document Number 15) to same, and applicable law, **IT IS ORDERED** that petitioner's objections are **OVERRULED** and we hereby **ADOPT** the Magistrate Judge's Report and Recommendation (Record Document Number 14) as our opinion and reasons in this case.

Accordingly, **IT IS FURTHERED ORDERED AND ADJUDGED** that the petition of Derek Mitchell for a writ of *habeas corpus* is hereby **DENIED** and **DISMISSED** as time-barred.

New Orleans, Louisiana, this 30<sup>th</sup> day of October, 2013.



---

UNITED STATES DISTRICT JUDGE