

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

RHONDA K. OLIVER

CIVIL ACTION

VERSUS

NO. 12-2159

JAMES ROGERS

SECTION: "C"

ORDER

The Court, having considered the petition, the record, the applicable law and the Magistrate Judge's Report and Recommendation, and in light of respondent's waiver of the period to object to the Report and Recommendation, hereby approves the Magistrate Judge's Report and Recommendation and adopts it as its opinion herein.

Accordingly, IT IS ORDERED that the petition for *habeas corpus* relief is GRANTED, and the case is remanded to the state district court for resentencing absent the improper enhancement.

New Orleans, Louisiana, this 25th day of March 2015.


UNITED STATES DISTRICT JUDGE