

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

JASON GAINEY

CIVIL ACTION

VERSUS

NUMBER: 13-278

N. BURL CAIN, WARDEN

SECTION: "I"(5)


O R D E R

The Court, having considered the petition, the record, the applicable law, the Magistrate Judge's Report and Recommendation, and the "traverse"¹ by plaintiff, James Gainey, which is hereby **OVERRULED**, approves the Magistrate Judge's Findings and Recommendation and adopts it as its opinion.

Accordingly,

IT IS ORDERED that the application for federal habeas corpus relief of petitioner, Jason Gainey, is **DISMISSED** with prejudice.

New Orleans, Louisiana, this 30th day of January, 2014.



LANCE M. AFRICK
UNITED STATES DISTRICT JUDGE

¹ Rec. Doc No. 15