

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

JAMES DONALDSON

CIVIL ACTION

VERSUS

NO. 14-1896

DARREL VANNOY, WARDEN

SECTION: "E"(3)

ORDER

The Court, having considered the petition, the record, the applicable law and the Report and Recommendation of the United States Magistrate Judge,¹ and the objections thereto,² hereby approves the Report and Recommendation of the United States Magistrate Judge and adopts it as its own opinion. Accordingly,

IT IS ORDERED that the petition of James Donaldson for issuance of a writ of habeas corpus under 28 U.S.C. § 2254, will be **DISMISSED WITHOUT PREJUDICE** for failure to exhaust state court remedies, unless Donaldson chooses to amend the petition to dismiss the unexhausted claims for relief and proceed with only the exhausted claims. Donaldson is granted leave of court to file an amended petition for issuance of a writ of habeas corpus through and including **March 22, 2017**. If an amended petition is not filed by March 22, Donaldson's petition will be dismissed without prejudice.

New Orleans, Louisiana, this 22nd day of February, 2017.



UNITED STATES DISTRICT JUDGE

¹ R. Doc. 18.

² R. Doc. 19.