

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

**CHADWICK DENNIS**

**CIVIL ACTION**

**VERSUS**

**NO. 14-2780**

**STATE OF LOUISIANA**

**SECTION "S"(2)**

**ORDER**

The court, having considered the complaint, the record, the applicable law, the Report and Recommendation of the United States Magistrate Judge, and the petitioner's objection to the Magistrate Judge's Report and Recommendation, hereby **OVERRULES** the petitioner's objection and approves the Report and Recommendation of the United States Magistrate Judge and adopts it as its opinion in this matter.

The Report and Recommendation concludes that the petition raises challenges to state law, which are not appropriate claims for a federal habeas corpus petition. In his objection to the Report and Recommendation petitioner claims that he is raising Eighth and Fourteenth Amendment claims. The petition specifically states that it "challenges state law governing parole" on the grounds that: (1) "the legislature did not give nor intend to give sentencing power to the executive branch when it enacted R.S. 15:308"; (2) "the [Louisiana] Fifth Circuit Court of Appeal erred in denying petitioner's supervisory writ of review"; (3) "La. C. Cr. P. article 881.5 and 882 allow the correction at any time of an illegal sentence which exceeds the maximum sentence authorized by law"; and, "this petitioner's only remedy is to be represented by the judicial branch." The petition and supporting memorandum do not

mention the Eighth or Fourteenth Amendments to the Constitution of the United States, and do not raise claims thereunder. Therefore, such claims are not before this court.

**IT IS ORDERED** that the petition of Chadwick Dennis for issuance of a writ of habeas corpus under 28 U.S.C. § 2254 be **DENIED** and **DISMISSED WITH PREJUDICE**.

New Orleans, Louisiana, this 16th day of July, 2015.

  
UNITED STATES DISTRICT JUDGE