

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

TWDARRYL TONEY

CIVIL ACTION

versus

NO. 15-933

ROBERT TANNER

SECTION: "N" (3)

ORDER

The Court, having considered the petition, the record, the applicable law and the Report and Recommendation of the United States Magistrate Judge, and the failure of any party to file an objection to the Magistrate Judge's Report and Recommendation, hereby approves the Report and Recommendation of the United States Magistrate Judge and adopts it as its own opinion¹. Accordingly,

IT IS ORDERED that the Writ of Mandamus filed by Twdarryl Toney is **DISMISSED WITH PREJUDICE**.

New Orleans, Louisiana, this 9th day of July, 2015.


UNITED STATES DISTRICT JUDGE

¹ The Court noticed a typographical error on the first page of the Report and Recommendation. The first sentence of the second paragraph should read, "Despite his use of the § 2254 form, petitioner does not appear to be seeking federal *habeas corpus* relief, in that he does *not* expressly challenge the validity of either his conviction or sentence." The Court hereby adopts the Report and Recommendation as corrected herein.