

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

AMY HERBERT,

CIVIL ACTION

VERSUS

No. 15-4950

JIM ROGERS, WARDEN ET AL.

SECTION I

ORDER

The Court, having considered the petition, the record, the applicable law, the Report and Recommendation of the United States Magistrate Judge, and the objection by plaintiff, Amy Hebert, which is hereby **OVERRULED**, approves the Magistrate Judge's Finding and Recommendation and adopts it as its opinion in this matter. Therefore,

IT IS ORDERED that Ms. Hebert's petition for issuance of a writ of habeas corpus under 28 U.S.C. § 2254 is **DENIED** and **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that, after considering the record and requirements of 28 U.S.C. § 2253 and Fed. R. App. P. 22, the Court **GRANTS** a certificate of appealability on all issues raised because the Court concludes that "the issues presented are adequate to deserve encouragement to proceed further." *Miller-El v. Cockrell*, 537 U.S. 322, 327 (2009).

New Orleans, Louisiana, February 21, 2017.



LANCE M. AFRICK
UNITED STATES DISTRICT JUDGE