

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

ROBERT LETELL

CIVIL ACTION

VERSUS

NO. 15-5008

JAMES LEBLANC, NATHAN CAIN

SECTION "T"(4)

ORDER AND REASONS

The petitioner, Robert Letell, has filed a **Motion for Designation of the Record (Rec. Doc. No. 3)** seeking leave to file copies of certain documents purportedly from the state court record. Letell is reminded that this federal habeas corpus proceeding is not a criminal appeal and there is no need for a designation of the record. The briefing order issued by this Court addressed to the respondent through the State Attorney General and the District Attorney for Lafourche Parish to respond to Letell's petition and provide certified copies of the entire state trial and appellate court records. The State has not yet had the opportunity to file its opposition response with the certified state court records.

The copies submitted by Letell are not certified and appear to include personal notations and comments. The Court therefore is unable at this time to compare and consider the duplicity, accuracy, and relevance of Letell's proposed exhibits.

Nevertheless, affording Letell every benefit, the Court will consider his exhibits if necessary and appropriate in its review of the petition. However, Letell is advised and warned that this Court's review will be guided by the certified copies of the state court records and is by law limited to those exhibits and pleadings that were before the state courts in addressing his claims. *See Cullen v. Pinholster*, ___ U.S. ___, 131 S. Ct. 1388, 1400 (2011); *Blue v. Thaler*, 665 F.3d 647, 656 (5th Cir.

2011). Letell need not submit any further exhibits or record portions unless ordered to do so by this Court. Accordingly,

IT IS ORDERED that Letell's **Motion for Designation of Record (Rec. Doc. No. 15)** is **GRANTED** and the exhibits which shall remain attached to the motion will be considered if appropriate in the court's review of his petition.

New Orleans, Louisiana, this 29th day of October, 2015.



KAREN WELLS ROBY
UNITED STATES MAGISTRATE JUDGE