

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

**RONALD REEL**

**CIVIL ACTION**

**VERSUS**

**NO. 15-5156**

**N. BURL CAIN**

**SECTION: "F"(3)**

**ORDER**

The Court, having considered the petition, the record, the applicable law, the Report and Recommendation of the United States Magistrate Judge, and the objections 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 opinion, with the corrections noted below.

Accordingly,

**IT IS ORDERED** that the federal application for habeas corpus relief filed by Ronald Reel is **DISMISSED WITH PREJUDICE**.

**IT IS FURTHER ORDERED** that the following errors in the Magistrate Judge's Report and Recommendation be and are hereby **CORRECTED** as follows:

On page 10, the correct citation for Jackson v. Virginia is 443 U.S. 307, 319 (1979).

On page 17, an open quotation mark in the second to last sentence must be added to the word "Evidence." The citation at the end of the quotation should be amended to state "Id. (quoting Nobles v. Johnson, 127 F.3d 409, 415 (5th Cir. 1997) (citations and internal quotation marks omitted))."

On page 23, in the first sentence under the sub-heading “Self-Representation,” an extraneous “to” between “motion” and “seeking” should be deleted.

On page 25, the quotation of the first line should read “proceed without counsel when he voluntarily and intelligently elects to do so.” From the last sentence in the second full paragraph (quoting Faretta), the word “his” should be deleted such that the end of the quotation should state “...made with eyes open.”

On page 26, the quotation from Indiana v. Edwards in the first line should be edited to insert the word “seeking” in between “defendant” and “to”, and the words “waive the right” should be italicized to reflect the Court’s intention to keep the Supreme Court’s emphasis.

On page 35, the citation to Williams v. Illinois should be updated to reflect the United States Reports: “Williams v. Illinois, 567 U.S. 50, 57 (2012).” The two following pin cites should read “Id. at 58” and “Id. at 82.”

On page 36, in the string citation in the middle of the second paragraph, portion noting “adopted, 2016..., appeal docketed, ... (5<sup>th</sup> Cir. Aug. 22, 2016), “ should be moved to follow the first case citation to Payne v. Cain.

On page 37, the citation to Dorsey v. Cook should be updated to reflect the Federal Appendix: “677 F. App’x 265, 267 (6th Cir. 2017).” A closing quotation mark is missing from the immediately following explanatory parenthetical, and should be inserted after the word “testimonial.”

On page 49, the second paragraph’s first citation to Schlup should have the pincite of “331-32.” In the same string cite, Herrera’s explanatory parenthetical should have a closed quotation mark after “him.”


On page 51, the reporter in the last citation of the first paragraph to Woodfox and Day is incorrect; instead of F.2d, the reporter for both cases is F.3d.

On page 52, the first quotation to Ford v. Cockrell should be changed from “challenge the witness’ testimony” to “challenge that witness’ [sic] testimony.”

On page 53, a final punctuation is missing from the last sentence; a period should be inserted after the word “proceedings.”

On page 54, the first citation of the second paragraph is incorrect. Instead of “Id. at 753,” the citation should read, “Otero, 2013 WL 6072716, at \*16.” The quoting citation and subsequent history is correct.

New Orleans, Louisiana, this 31st day of October, 2017.

  
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MARTIN L.C. FELDMAN  
UNITED STATES DISTRICT JUDGE