

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

OTIS MERRIT

VERSUS

ROBERT TANNER, WARDEN

CIVIL ACTION

NO. 16-15651

SECTION: "F"(5)

ORDER

The Court, having considered the petition, the record, the applicable law, 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 opinion in this matter. Accordingly,

IT IS ORDERED that the petition of Otis Merrit for issuance of a writ of habeas corpus under 28 U.S.C. § 2254, is hereby **DISMISSED WITHOUT PREJUDICE** for failure to exhaust state court remedies.

New Orleans, Louisiana, this 26th day of May, 2017.


UNITED STATES DISTRICT JUDGE