

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

**DEVAUGHAN SMITH**

**CIVIL ACTION**

**VERSUS**

**NO. 19-1612**

**UNITED STATES OF AMERICA**

**SECTION M (3)**

**ORDER**

The Court, having considered the petition, the record, the applicable law, the magistrate judge's Report and Recommendation ("R&R"), and the failure of any party to file any objection to the R&R, hereby approves the R&R and adopts it as its own opinion. Accordingly,

**IT IS ORDERED** that the federal application for habeas corpus relief filed by DeVaughan Smith is **DISMISSED FOR LACK OF SUBJECT MATTER JURISDICTION**.

New Orleans, Louisiana, this 18<sup>th</sup> day of November, 2021.



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**BARRY W. ASHE**

**UNITED STATES DISTRICT JUDGE**