

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

TEVIN MONTANA

CIVIL ACTION

VERSUS

NO. 20-2812

RODNEY SLAY, WARDEN

SECTION "R" (3)

ORDER AND REASONS

Tevin Montana petitions this Court for a writ of habeas corpus under 28 U.S.C. § 2254.¹ Pursuant to 28 U.S.C. § 636(b)(1)(B) ²and (C) and, as applicable, Rule 8(b) of the Rules Governing § 2254 Cases, this matter was referred to Magistrate Judge Dana M. Douglas. On November 24, 2021, Magistrate Judge Douglas issued a Report and Recommendation ("R&R"), recommending that petitioner's claims be dismissed with prejudice.³

Petitioner did not object to the R&R. Therefore, the Court reviews the R&R for clear error. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1); *see also* Fed. R. Civ. P. 72(b) advisory committee's note (1983) ("When no timely objection is filed, the court need only satisfy itself

¹ R. Doc. 4.

²

³ R. Doc. 29.

that there is no clear error on the face of the record in order to accept the recommendation.”). The Court finds no plain error. Thus, the Court adopts the Magistrate Judge’s R&R as its opinion.

Accordingly, the Court DISMISSES the petition WITH PREJUDICE.

New Orleans, Louisiana, this 5th day of January, 2022.



SARAH S. VANCE
UNITED STATES DISTRICT JUDGE