

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

COURTNEY KIMBLE

CIVIL ACTION

VERSUS

NUMBER 07-396-FJP-DLD

BURL CAIN


O P I N I O N

After independently reviewing the entire record in this case and for reasons set forth in the Magistrate Judge's Report to which no objection was filed:

IT IS ORDERED that the petitioner's application for habeas corpus relief shall be GRANTED because of the violation of the petitioner's Sixth Amendment right to confront the witnesses against him, and that the State be required to re-try the petitioner within 120 days from the date of this opinion or release him from confinement.

Judgment shall be entered accordingly.

Baton Rouge, Louisiana, July 20, 2010.



FRANK J. POLOZOLA
MIDDLE DISTRICT OF LOUISIANA