

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

FILED  
U.S. DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA  
2009 MAR 19 AM 11:17

VONZELL JOHNSON, JR. (#91206)

CIVIL ACTION

VERSUS

NO. 07-930-C

MARK CASHION, ET AL


**RULING**

The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Stephen C. Riedlinger dated January 26, 2009. Plaintiff has filed an objection which the court has considered.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein.

Accordingly, the petitioner's application for habeas corpus relief pursuant to 28 U.S.C. § 2241 will be dismissed, without prejudice, for failure to exhaust state remedies. Further insofar as the petitioner asserted claims for relief under 28 U.S.C. § 2254, the petition will be dismissed for lack of subject matter jurisdiction.

Baton Rouge, Louisiana, March 17, 2009.

  
RALPH E. TYSON, CHIEF JUDGE  
MIDDLE DISTRICT OF LOUISIANA