

FILED
DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA
2009 MAY 11 P 3:32
UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF LOUISIANA

LIONEL TOLBERT

VERSUS

CIVIL ACTION NO.: 08-435-JVP-CN

N. BURL CAIN, 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 Christine Noland dated April 16, 2009 (doc. 10). Plaintiff has filed an objection which merely restates legal argument and does not require *de novo* factual findings under 28 U.S.C. § 636.


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

Accordingly, the Petition for Writ of Habeas Corpus (doc. 1) shall be

DISMISSED WITH PREJUDICE.

Judgment shall be entered accordingly.

Baton Rouge, Louisiana, May 11, 2009.



JOHN V. PARKER
UNITED STATES DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA