

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DIST COURT
MIDDLE DIST. OF LA
2009 MAR -6 P 2:14

CHARLES BURNS (#428129)

VERSUS

CIVIL ACTION NO.: 08-667-JVP-SCR

SIGN
CLERK

N. BURL CAIN, ET AL

RULING

The court, having carefully considered the complaint, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Stephen C. Riedlinger dated February 20, 2009, to which no objection has been filed, hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion.

Accordingly, the petitioner's application for habeas corpus relief shall be **DISMISSED** with prejudice, as untimely pursuant to 28 U.S.C. § 2244(d).

Baton Rouge, Louisiana, March ^{LHA} 4, 2009.

James J. Brody for U.S.D.J.

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