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U.S. DIST. COURT
MIDDLE DIST. OF LOUISIANA
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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ADRIAN ION NEACSU

VERSUS

CIVIL ACTION NO.: 08-695-JVP-CN

MARK ANDERS AND
JAMES D. CALDWELL, JR.

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 February 6, 2009 (doc. 5). After plaintiff filed an objection to the Report (doc. 6), the court issued an Order on February 18, 2009 (doc. 7), vacating it in part and maintaining it in part. The plaintiff then appealed that Order to the Fifth Circuit Court of Appeals. His appeal was denied for lack of jurisdiction (doc. 13).

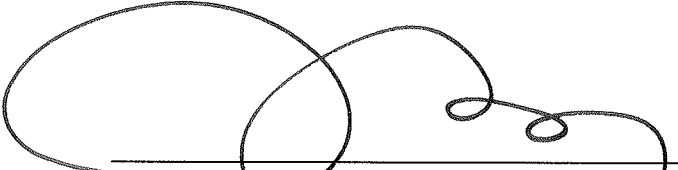
The court hereby approves the Report and Recommendation of the magistrate judge (doc. 6), as amended (doc. 7), and adopts it as the court's opinion herein.

Accordingly, the Petition for Writ of Habeas Corpus (doc. 1) filed by petitioner, Adrian Ion Neacsu, shall be **DISMISSED WITHOUT PREJUDICE** due to his failure to re-submit his *in forma pauperis* motion on approved forms and his failure to file

the required filing fee or a statement of account to accompany his *in forma pauperis* motion.

Judgment shall be entered accordingly.

Baton Rouge, Louisiana, October 9th, 2009.



JAMES J. BRADY
UNITED STATES DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA