

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DIST. COURT
MIDDLE DISTRICT OF LA
2009 FEB 6 10 33

ROBERT LATROY WHITE (#241145)

CIVIL ACTION
BY DEBORA J. CLARK

VERSUS

NO. 08-798-C

LOUISIANA DEPARTMENT OF
CORRECTIONS

J U D G M E N T

For the written reasons assigned and filed herein:

IT IS ORDERED ADJUDGED AND DECREED that the plaintiff's claims brought pursuant to § 1983 are dismissed as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i). Further, to the extent the petitioner's complaint can be treated in part as an application for habeas corpus relief under § 2254, it is dismissed, without prejudice, for failure to exhaust state remedies.

All other pending motions in this action are hereby dismissed, as moot.

Baton Rouge, Louisiana, February 6, 2009.


RALPH E. TYSON, CHIEF JUDGE
MIDDLE DISTRICT OF LOUISIANA