

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

TERRY LATHERS (#106777)

VERSUS

N. BURL CAIN

CIVIL ACTION

NO. 09-383-RET

**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 Docia L. Dalby dated April 6, 2011. 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 will be dismissed as being without merit.

Baton Rouge, Louisiana, May 9<sup>th</sup>, 2011.



RALPH E. TYSON, CHIEF JUDGE  
MIDDLE DISTRICT OF LOUISIANA