

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

JONATHAN JOSEPH DUPIN

VERSUS

PAT BOOK, ET AL.

CIVIL ACTION

NO. 10-160-JJB-CN

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 August 10, 2010 (doc. no. 14) to which no objection has been filed.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, the Motion to Dismiss (doc. no. 6) filed by the State of Louisiana, through the Office of the District Attorney, 21st Judicial District, Parish of Livingston, should be GRANTED IN PART and the Petition for Writ of Habeas Corpus (doc. no. 1) filed by Jonathan Joseph Dupin is DISMISSED WITHOUT PREJUDICE for failure to exhaust state court remedies.

Baton Rouge, Louisiana, this 16th day of September, 2010.



JAMES J. BRADY
UNITED STATES DISTRICT JUDGE