

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

BRIAN K. MOSBY (#312731)

CIVIL ACTION

VERSUS

NUMBER 11-41-BAJ-SCR

N. BURL CAIN, ET AL

**RULING
and ORDER OF DISMISSAL**

The Court has carefully considered the motion to dismiss, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Stephen C. Riedlinger dated November 26, 2012 (doc. 15), and plaintiff's objection filed December 3, 2012 (doc. 17).

The Court hereby approves the Report and Recommendation of the Magistrate Judge and adopts it as the Court's opinion herein.

Accordingly, **IT IS ORDERED** that the that Brian K. Mosby's Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody is denied and this matter is hereby dismissed.

Baton Rouge, Louisiana, December 20, 2012.



BRIAN A. JACKSON, CHIEF JUDGE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

