

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

JACOB M. BELL, SR. (#442374)

CIVIL ACTION

VERSUS

NO. 11-0304-BAJ-DLD

DEPUTY WARDEN ANTHONY BATON

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 September 24, 2012 (doc. 15), and plaintiff's opposition filed September 14, 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 petitioner's application for habeas corpus relief is dismissed in part as being procedurally defaulted and in part as being without merit, and this action shall be dismissed.

Baton Rouge, Louisiana, October 30, 2012.



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