

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

DARRELL HUDSON (#468307)

CIVIL ACTION

VERSUS

BURL CAIN, ET AL.

NO.: 3:11-cv-00531-BAJ-RLB

**RULING AND ORDER**

Before the Court is Petitioner's **PETITION UNDER 28 USC § 2254 FOR WRIT OF HABEAS CORPUS BY A PERSON IN STATE CUSTODY (Doc. 1)**. The Magistrate Judge has issued a **REPORT (Doc. 15)** recommending that Petitioner's application for habeas corpus relief be denied as untimely pursuant to 28 U.S.C. § 2244(d), and, further, that the Court deny Petitioner a certificate of appealability, (*id.* at p. 18). Petitioner does not object to the Magistrate Judge's Report.

Having carefully considered Petitioner's **PETITION (Doc. 1)** and related filings, the Court **APPROVES** the Magistrate Judge's **REPORT (Doc. 15)** and **ADOPTS** it as the Court's opinion in this matter. Accordingly, for the reasons explained in the Magistrate Judge's Report (Doc. 15),

**IT IS ORDERED** that Petitioner's **§ 2254 PETITION (Doc. 1)** is **DENIED**.

**IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED** because Petitioner has failed to “ma[ke] a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2).

Baton Rouge, Louisiana, this 8<sup>th</sup> day of July, 2014.



---

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