

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

DAVID FOREMAN (#363063)

VERSUS

STEVE RADER, WARDEN

CIVIL ACTION

NO. 12-0266-BAJ-DLD

**RULING  
and ORDER OF DISMISSAL**

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 October 31, 2012 (doc. 8), and plaintiff's objection filed November 14, 2012 (doc. 9).

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 petition filed by David Foreman is dismissed as untimely and as barred by procedural default.

Baton Rouge, Louisiana, November 30, 2012.



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