

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ELIZABETH ZACHARY

CIVIL ACTION

VERSUS

NO. 12-603-JJB-RLB

WARDEN, LOUISIANA CORRECTIONAL
INSTITUTE FOR WOMEN**RULING AFFIRMING AND ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATIONS**

This matter is before the Court on the Petitioner Elizabeth Zachary's Motion (doc. 20) to Re-Open Case. In the Report and Recommendations (doc. 23) of United States Magistrate Judge Richard Bourgeois, dated May 28, 2014, the Magistrate Judge recommended that the petitioner's Motion (doc. 20) to Re-Open Case be denied and in the event that the petitioner seeks to pursue an appeal in this case, a certificate of appealability be denied. No objection was filed as to the Report and Recommendation. (Doc. 23).

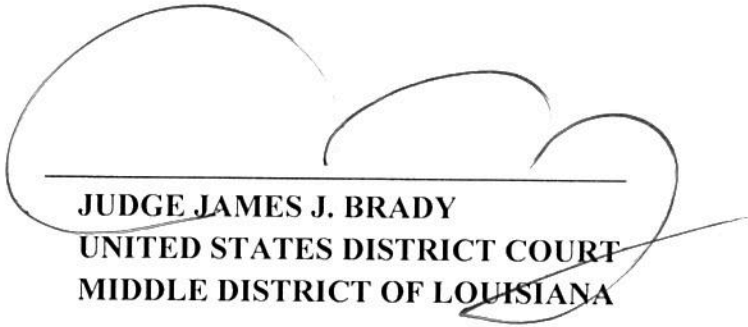
The Magistrate Judge interpreted the Motion to Re-Open Case to be a Motion for Relief from Judgment pursuant to Rule 60(b) of the Federal Rules of Civil Procedure. The Magistrate Judge held that the petitioner failed to show compelling or extraordinary circumstances which warrant the granting of Rule 60 relief or unique or sufficiently unusual circumstances that justify the relief sought.

The Court has considered the petitioner's motion, the applicable law, and the Report and Recommendations of United States Magistrate Judge Richard Bourgeois. The Court finds that the Magistrate Judge's findings of fact, conclusions of law, and recommendations are correct.

After review, the Court hereby **AFFIRMS** and **ADOPTS** the Magistrate Judge's Report and Recommendations (doc. 23). Accordingly, the Court finds that the petitioner's Motion (doc.

20) to Re-Open Case is **DENIED** and in the event that the petitioner seeks to pursue an appeal, a certificate of appealability is **DENIED**.

Baton Rouge, Louisiana, this 9th day of July, 2014.



JUDGE JAMES J. BRADY
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA