

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

CLARENCE DUDLEY (#329502)

VERSUS

N. BURL CAIN, ET AL.

CIVIL ACTION

NO. 13-156-JJB-SCR

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 Stephen C. Riedlinger dated February 11, 2014 (doc. no. 22). The plaintiff filed an objection which merely restates his prior argument and has been duly considered.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, the Motion to Dismiss with Prejudice Petition for Writ of Habeas Corpus filed on behalf of the State of Louisiana is GRANTED, and the Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody filed by Clarence Dudley is DISMISSED with prejudice, as untimely pursuant to 28 U.S.C. § 2244(d). Further, a certificate of appealability is DENIED for the reasons set forth in the report.

Baton Rouge, Louisiana, this 3rd day of April, 2014.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA