

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

TREMAYNE SIMMS (#457496)

VERSUS

STEVE RADER, WARDEN

CIVIL ACTION

NO. 13-0770-SDD-RLB

RULING

The Court has carefully considered the *Petition*¹, the record, the law applicable to this action, and the *Report and Recommendation*² of United States Magistrate Judge Richard L. Bourgeois, Jr. dated March 25, 2015. Plaintiff has filed an *Objection*³ which the Court has also considered.

The Court hereby approves the *Report and Recommendation* of the Magistrate Judge and adopts it as the Court's opinion herein.

Accordingly, Petitioner's application for *habeas corpus* relief is denied without prejudice as untimely. Further, in the event that the Petitioner seeks to pursue an appeal, a certificate of appealability is denied.

Baton Rouge, Louisiana the 30 day of April, 2015.



SHELLY D. DICK, DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA

¹ Rec. Doc. 1.

² Rec. Doc. 12.

³ Rec. Doc. 13.