

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ROBAE AUSTIN

VERSUS

N. BURL CAIN, ET AL

CIVIL ACTION


NO. 14-276-JJB-RLB

RULING

The court has carefully considered the petition, the record, the law applicable to this action, the Report and Recommendation dated June 28, 2017 (R. Doc. 20), and the Supplemental Report and Recommendation dated August 4, 2017 (R. Doc. 22) of United States Magistrate Judge Richard L. Bourgeois, Jr. The petitioner filed objections which the court has considered.¹

The court hereby approves the report and recommendation and supplemental report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, the petitioner's application for habeas corpus relief is DENIED and this proceeding is DISMISSED. Further, in the event the petitioner pursues an appeal in this case, a certificate of appealability is GRANTED with regard to the trial court's denial of the petitioner's Motion for New Trial as it pertains to juror Karpinski's alleged bias and prohibited testimony as to the same.

Signed in Baton Rouge, Louisiana, on August 30, 2017.



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

¹ Petitioner filed an objection on July 10, 2017 (R. Doc. 21) to the original Report and Recommendation (R. Doc. 20) and another objection on August 10, 2017 (R. Doc. 23) to the Supplemental Report and Recommendation (R. Doc. 22).