

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

MYRON LAMAR FRAZIER

VERSUS

WARDEN JOHN SMITH

CIVIL ACTION

NO. 14-756-JJB-RLB

CONSOLIDATED WITH

MYRON LAMAR FRAZIER

VERSUS

WARDEN JOHN SMITH

CIVIL ACTION

NO. 14-787-JJB-RLB

**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 Richard L. Bourgeois, Jr. dated May 23, 2016 (doc. no. 13) to which no objection has been filed.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, the Petitions for Writ of Habeas Corpus is DISMISSED, without prejudice, for failure to exhaust state court remedies. Further, in the event that the petitioner seeks to pursue an appeal, a certificate of appealability is DENIED.

Baton Rouge, Louisiana, this 28<sup>th</sup> day of November, 2016.

  
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JAMES J. BRADY, JUDGE  
MIDDLE DISTRICT OF LOUISIANA