

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

**BILLY PATTON**

**CIVIL ACTION**

**VERSUS**

**NO. 16-10-JWD-EWD**

**N. BURL CAIN, ET AL.**

*CONSOLIDATED WITH*

**BILLY PATTON**

**CIVIL ACTION**

**VERSUS**

**NO. 16-40-JWD-EWD**

**DARRYL VANNOY**

**OPINION**

After independently reviewing the entire record in this case and for the reasons set forth in the Magistrate Judge's Report dated March 8, 2019, to which an opposition was filed (Doc. 18);

**IT IS ORDERED** that the consolidated applications of Billy Patton for issuance of a writ of habeas corpus under 28 U.S.C. 2254 are SEVERED for purposes of entry of judgment.

**IT IS FURTHER ORDERED** that Patton's pro se habeas petition in Civil Action 16-10 is DISMISSED WITHOUT PREJUDICE for failure to exhaust state court remedies.

**IT IS FURTHER ORDERED** that Patton's habeas petition in Civil Action 16-40 is DISMISSED WITH PREJUDICE as procedurally defaulted.

**IT IS FURTHER ORDERED** that, in the event the Petitioner seeks to pursue an appeal, a certificate of appealability shall be **DENIED**.

Judgment shall be entered accordingly.

Signed in Baton Rouge, Louisiana, on March 29, 2019.



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**JUDGE JOHN W. deGRAVELLES**  
**UNITED STATES DISTRICT COURT**  
**MIDDLE DISTRICT OF LOUISIANA**