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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION**

CHARLES MANNING

CIVIL DOCKET NO. 1:08-cv-001687

-vs-

JUDGE DRELL

MICHAEL MUKASEY, et al.

MAGISTRATE JUDGE KIRK

J U D G M E N T

There being no objection to the proposed findings of fact and conclusions of law in the Report and Recommendation of the magistrate judge previously filed herein, the Court concludes that the proposed findings and recommendation are correct under the applicable law.

Additionally, the Court notes the copy of the report and recommendation mailed to Mr. Noel's last known address was returned to the Clerk of Court on March 6, 2009, marked "return to sender." Thirty days have passed since February 26, 2009, but no correction to Plaintiff's address has been received by the Court. Therefore, dismissal for failure to prosecute under Local Rule 41.3W of the Uniform District Court Rules is also appropriate. Accordingly,

IT IS ORDERED that Plaintiff's Petition for Writ of Habeas is DISMISSED WITHOUT PREJUDICE.

SIGNED on this 14 day of April, 2009, at Alexandria, Louisiana.


DEE D. DRELL
UNITED STATES DISTRICT JUDGE