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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

CHARLES LOVE  
LA. DOC #210299  
VS.

CIVIL ACTION NO. 09-0807  
SECTION P

WARDEN TERRY TERRELL

JUDGE DRELL

MAGISTRATE JUDGE KIRK

J U D G M E N T

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that the petition for writ of *habeas* be deemed a successive *habeas corpus* petition and that it be **TRANSFERRED** to the United States Court of Appeals for the Fifth Circuit pursuant to 28 U.S.C. §1631 for further proceedings in accordance with the provisions of 28 U.S.C. § 2244(b).

THUS DONE AND SIGNED, in chambers, Alexandria, Louisiana, on this 11<sup>th</sup> day of February, 2010.



DEE D. DRELL  
UNITED STATES DISTRICT JUDGE