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

JEAN GUIRAND

CIVIL DOCKET NO. 11-0311

-vs-

JUDGE DRELL

DAVID COLES, 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 July 26, 2011 to Mr. Guirand's last known address was returned to the Clerk of Court on August 04, 2011, marked "return to sender." Thirty days have passed since August 04, 2011, 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 habeas petition is DISMISSED WITHOUT PREJUDICE.

SIGNED on this 7 day of September, 2011, at Alexandria, Louisiana.



**DEE D. DRELL
UNITED STATES DISTRICT JUDGE**