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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

BILLY CEZAR

CIVIL DOCKET NO. 11-0548; SEC. P

-vs-

JUDGE DRELL

JANET NAPOLITANO

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 June 28, 2011 to Mr. Cezar's last known address was returned to the Clerk of Court on July 25, 2011, marked "return to sender." Thirty days have passed since July 25, 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 petition is DISMISSED WITHOUT PREJUDICE.

SIGNED on this 28th day of August, 2011, at Alexandria, Louisiana.



DEE D. DRELL
UNITED STATES DISTRICT JUDGE