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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

EMANUEL KESNEL

DOCKET NO. 11-1645; SEC. P

VERSUS

JUDGE James T. Trimble, Jr.

JANET NAPOLITANO, ET AL

MAGISTRATE JUDGE JAMES D. KIRK

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**J U D G M E N T**

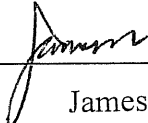
There being no objection to the proposed findings of fact and conclusions of law in the Report and Recommendation of the magistrate judge previously filed herein, the Court concludes that the proposed findings and recommendation are correct under the applicable law.

Additionally, the Court notes the copy of the report and recommendation mailed December 20, 2011 to Mr. Kesnel's last known address was returned to the Clerk of Court on January 03, 2012, marked "return to sender". More than thirty days have passed since January 03, 2012, but no correction to Plaintiff's address has been received by the Court. Therefore, dismissal for failure to prosecute under Local Rule 41.3W and Rule 41(b) of the Federal Rules of Civil Procedure is also appropriate. Accordingly,

IT IS ORDERED that the Respondent's motion to dismiss (Doc. No. 8) is GRANTED and Plaintiff's complaint is DISMISSED AS MOOT.

SIGNED on this 9<sup>th</sup> day of February, 2012, at Alexandria, Louisiana.

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James T. Trimble, Jr.  
UNITED STATES DISTRICT JUDGE