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WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA, LOUISIANAUNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

PETER CANISIUS DAMARVILLE,  
Petitioner

CIVIL ACTION 11-2181

VERSUS

JUDGE JAMES T. TRIMBLE, JR.

DAVID COLE, et al.,  
Respondent

MAGISTRATE JUDGE JAMES D. 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 April 03, 2012 to Mr. Damarville's last known address was returned to the Clerk of Court on April 13, 2012, marked "return to sender". More than thirty days have passed since April 13, 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. 9) is GRANTED and Plaintiff's complaint is DISMISSED AS MOOT.

SIGNED on this 12<sup>th</sup> day of June, 2012, at Alexandria, Louisiana.

  
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JAMES T. TRIMBLE JR.  
UNITED STATES DISTRICT JUDGE