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WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA, LOUISIANAUNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISIONJAMES KOFI ASARE,
PetitionerCIVIL ACTION
1:12-cv-00695

VERSUS

JUDGE JAMES T. TRIMBLE, JR.

DAVID COLE, et al.,
Respondents

MAGISTRATE JUDGE JAMES D. KIRK

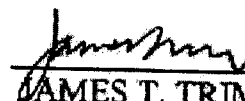
J U D G M E N T

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED that Asare's habeas petition is DENIED AND DISMISSED WITH PREJUDICE AS MOOT.

Additionally, the Court notes the copy of the report and recommendation mailed October 31, 2012 to Mr. Asare's last known address was returned to the Clerk of Court on November 13, 2012, marked "return to sender". More than thirty days have passed since November 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.

SIGNED on this 8th day of January, at Alexandria, Louisiana.
2013


JAMES T. TRIMBLE, JR.
U.S. DISTRICT JUDGE