

RECEIVEDUSDC, WESTERN DISTRICT OF LA
TONY R. MOORE, CLERKUNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISIONDATE 10 / 15 / 12

JAMES TOWNSEND

CIVIL ACTION NO. 12-CV-1000

VERSUS

JUDGE JAMES T. TRIMBLE, JR.

WARDEN

MAGISTRATE JUDGE KIRK

J U D G M E N T

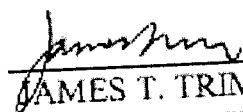
There being no objection to the proposed findings of fact and conclusions of law in the Report and Recommendation of the magistrate judge previously filed herein, the Court concludes that the proposed findings and recommendation are correct under the applicable law.

Additionally, the Court notes the copy of the report and recommendation mailed August 28, 2012 to Mr. Townsend's last known address was returned to the Clerk of Court on August 31, 2012, marked "released". More than thirty days have passed since August 31, 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 petition for writ of habeas corpus is DISMISSED AS MOOT.

THUS DONE AND SIGNED at Alexandria, Louisiana, this 15th day of

October, 2012.


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