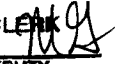


RECEIVED
IN ALEXANDRIA, LA.

APR - 5 2013

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

TONY R. MOORE, CLERK
BY 
DEPUTY

JERMAINE S. FOSTER
VERSUS
WARDEN

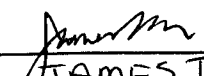
DOCKET NO. 12-Cv-2689; SEC. P
JUDGE JAMES T. TRIMBLE, JR.
MAGISTRATE JUDGE KIRK

J U D G M E N T

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record including the objections filed by Petitioner, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that this petition for *habeas corpus* be DENIED AND DISMISSED WITH PREJUDICE because Petitioner's claims are barred by the one-year limitation period codified at 28 U.S.C. §2244(d), and he is not eligible for the benefits of either statutory or equitable tolling.

THUS DONE AND SIGNED at Alexandria, Louisiana, this 5th day of April, 2013.



JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT COURT