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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

CALVIN D. RICE, SR.

VERSUS

WARDEN

DOCKET NO. 13-CV-2248; 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, determining that the findings are correct under the applicable law, and noting the absence of objections to the Report and Recommendation in the record;

**IT IS ORDERED** that this petition for *writ of habeas corpus* be **DENIED AND DISMISSED WITHOUT PREJUDICE** since it plainly appears from the face of the petition that the petitioner has failed to exhaust all available state court remedies.

**THUS DONE AND SIGNED** at Alexandria, Louisiana, this 29<sup>th</sup> day of October, 2013.

  
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JAMES T. TRIMBLE, JR.  
UNITED STATES DISTRICT COURT