

JUL 15 2015

TONY R. MOORE, CLERK
BY MB DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

JAMES LYNDAL FOSTER

CIVIL ACTION NO. 14-434

VERSUS

JUDGE TRIMBLE

WARDEN, AVOYELLES
CORRECTIONAL CENTER

MAGISTRATE JUDGE KIRK

J U D G M E N T

Before the court is a second Report and Recommendation by the Magistrate Judge in the above-captioned habeas corpus case.¹ The court has carefully reviewed the entire record in this case, including the objections to the Report and Recommendation filed by Petitioner, and finds that its proposed findings are correct under applicable law and jurisprudence.² It is, accordingly, hereby

ORDERED, ADJUDGED and DECREED that the second Report and Recommendation of the Magistrate Judge is **ADOPTED** and, therefore, Petitioner's habeas corpus petition is **DENIED** and **DISMISSED** with prejudice for the reasons expressed in that Report and Recommendation.

THUS DONE AND SIGNED in chambers at Alexandria, Louisiana this 15th day of July, 2015.


JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT JUDGE

¹ R. 25.

² The court notes that the Magistrate Judge regrettably failed to amend the factual recitation to note that no guilty plea was entered in this case, despite our prior Order (R. 24) pointing out this factual discrepancy. See, R. 25 at p. 4. We expressly find, however, that this error did not alter the substantive result in this matter and still find that the result reached in the Report and Recommendation is correct under all applicable law and jurisprudence.