

FEB 26 2018

TONY R. MOORE, CLERK
BY: MB
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

DAO VAN VY,
Petitioner

CIVIL ACTION NO. 1:17-CV-1181-P

VERSUS

JUDGE DEE D. DRELL

WARDEN,
Respondent

MAGISTRATE JUDGE PEREZ-MONTES

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 the Petition for Writ of Habeas Corpus is hereby **DISMISSED** for lack of jurisdiction.

Additionally, the Court notes the copy of the report and recommendation mailed January 10, 2018 to Mr. Vy's last known address was returned to the Clerk of Court on January 22, 2018, marked "return to sender." Thirty days have passed since January 22, 2018, but no correction to Plaintiff's address has been received by the Court. Therefore, dismissal for failure to prosecute under Local Rule 41.3W of the Uniform District Court Rules is also appropriate.

THUS DONE AND SIGNED at Alexandria, Louisiana, this 26th day of February, 2018.



DEE D. DRELL
UNITED STATES DISTRICT JUDGE