

RECEIVEDUSDC, WESTERN DISTRICT OF LA
TONY R. MOORE, CLERKDATE 8/26/09GRUNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

SAINTIL EMMANUEL

CIVIL ACTION NO. 09-700

VS.

JUDGE HAIK

ERIC H. HOLDER, JR.

MAGISTRATE JUDGE METHVIN

JUDGMENT

This matter was referred to United States Magistrate Judge Mildred E. Methvin for a Report and Recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Report and Recommendation of the Magistrate Judge is correct and adopts the findings and conclusions therein as its own.

Accordingly, **IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the Motion to Dismiss (rec. doc. 13) be **GRANTED** and the petition be **DENIED AND DISMISSED WITH PREJUDICE** as moot.

IT IS FURTHER ORDERED that the writ of habeas corpus ad testificandum previously issued in this action is recalled and the evidentiary hearing presently scheduled for September 23, 2009, is cancelled.

Richard T. Haik, Sr., Louisiana, this 26 day of August, 2009.
Richard T. Haik, Sr.
RICHARD T. HAIK, SR.
DISTRICT JUDGE