

RECEIVED
IN LAKE CHARLES, LA.

JUN 29 2011

TONY R. MOORE, CLERK
BY PAP DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

NATHANIEL SMITH
LA. DOC #476447

: DOCKET NO. 2:10 CV306
SECTION "P"

VS.

: JUDGE MINALDI

WARDEN, ALLEN CORRECTIONAL
CENTER

: MAGISTRATE JUDGE KAY

JUDGMENT

There being no objection to the proposed findings of fact and conclusions of law in the Report and Recommendation of the Magistrate Judge previously filed herein these findings and conclusions are accepted. Alternatively, an independent review of the record has led this court to conclude that the findings and conclusions are entirely correct. Accordingly, it is

ORDERED that the petition for writ of *habeas corpus* be DENIED and DISMISSED with prejudice as time-barred under 28 U.S.C. § 2244(d).

THUS DONE AND SIGNED, in Chambers, at Lake Charles, Louisiana, this 28 day
of June 2011.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE