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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

FREDERICK DEVANE REED
FED. REG. #11084-021

: DOCKET NO. 2:10 CV974
SECTION "P"

VS.

: JUDGE MINALDI

J.P. YOUNG

: MAGISTRATE JUDGE KAY


JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein and after an independent review of the record, and a *de novo* determination of the issues, and consideration of the objections filed herein, and having determined that the findings are correct under applicable law. This Court further finds that the petitioner has failed to demonstrate that the jurisdictional defect will be cured through a transfer [Doc. 7]. In fact, the jurisdictional defect is predicated on the petitioner's inability to demonstrate that his 28 U.S.C. § 2255 remedy is "inadequate or ineffective." In other words, it is not the defect of the Court that renders the petitioner's claim defective for lack of jurisdiction; rather, it is the inherent defect of the petitioner's claim. Accordingly, it is

ORDERED that the petition for writ of *habeas corpus* be DENIED and DISMISSED with prejudice because this Court lacks jurisdiction to consider these claims;

IT IS FURTHER ORDERED that the petitioner's transfer request is DENIED.

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


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE