

RECEIVED

DEC - 6 2011

TONY B. MOORE, CLERK
BY [Signature]
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

DARRYL J. STERLING
LA. DOC #306435
VS.

CIVIL ACTION NO. 2:11-cv-0449

SECTION P

JUDGE WALTER

WARDEN BURL CAIN

MAGISTRATE JUDGE KAY

J U D G M E N T

For the reasons contained in the Report and Recommendation of the Magistrate Judge filed previously herein, noting the absence objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED that petitioner's second and successive Application for Writ of *Habeas Corpus* be transferred to the United States Fifth Circuit Court of Appeals in accordance with 28 U .S.C. § 2244(b)(3) for further proceedings by that Court.

THUS DONE AND SIGNED, in chambers, in Shreveport, Louisiana, on this 6 day of Dec, 2011.

[Signature]

DONALD E. WALTER

UNITED STATES DISTRICT JUDGE

1