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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

NIKOLAI MIKHAILENKO : DOCKET NO. 11-CV-00823
SECTION "P"
VS. : JUDGE MINALDI
ERIC HOLDER, ET AL : 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 Respondents' Motion to Dismiss for Lack of Jurisdiction is GRANTED.

IT IS FURTHER ORDERED that the petition for writ of habeas corpus be DISMISSED WITHOUT PREJUDICE.

THUS DONE AND SIGNED, in Chambers, at Lake Charles, Louisiana, this 16 day of Nov., 2011.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE