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WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

PAUL RICHARD BRYAN SMITH

CIVIL ACTION NO. 12-314

VS.

SECTION P

OFFICE OF DISTRICT ATTORNEY, ET AL

JUDGE TRIMBLE

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, this court concludes that the proposed findings and conclusions are entirely correct. Accordingly, it is

ORDERED that this petition for *habeas corpus* be **DENIED AND DISMISSED WITHOUT PREJUDICE** since it plainly appears that the petitioner has failed to exhaust all available state court remedies.

THUS DONE AND SIGNED, in chambers, Lake Charles, Louisiana, on this 2nd day of January, 2013.

James T. Trimble, Jr.

JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT JUDGE