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JAN 29 2013

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WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

RAFAEL PHINAZEE

CIVIL ACTION NO. 2:12-CV-1563

FED. REG. #4056-074

SECTION P

VS.

JUDGE MINALDI

JP YOUNG

MAGISTRATE JUDGE KAY

JUDGMENT

For the reasons stated in the Report and Recommendation [Doc. 2] 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;

IT IS ORDERED that the Petition for Writ of *Habeas Corpus* be **DENIED** and **DISMISSED WITH PREJUDICE** because the Court lacks jurisdiction to consider these claims.

Lake Charles, Louisiana, on this 28 day of January, 2013.

PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE