

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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WESTERN DISTRICT OF LOUISIANA
SHREVEPORT, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

BRANDON CITIZEN
LA. DOC # 338915

CIVIL ACTION NO. 12-2422
SECTION P

VS.

JUDGE WALTER

WARDEN TERRY TERRELL, ET AL

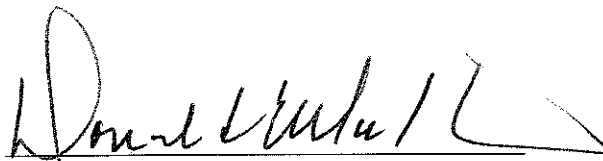
MAGISTRATE JUDGE KAY

J U D G M E N T

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that the instant petition for writ of mandamus pursuant to 28 U.S.C. § 1361 be construed as a habeas corpus petition under § 2254 and, as such, be **DISMISSED WITHOUT PREJUDICE**.

THUS DONE AND SIGNED, in chambers, in ~~Lake Charles~~ ^{Shreveport}, Louisiana, on this ~~7th~~ ^{7th} day of ~~August~~ ^{August}, ~~2012~~ ²⁰¹³.


DONALD E. WALTER
UNITED STATES DISTRICT JUDGE