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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

JAMES CLINTON MCCORVEY, JR.,  
  
Petitioner,  
  
v.  
  
C. MAIORANA,  
  
Respondent.

\* CIVIL ACTION NO. 2:14-cv-878  
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\*  
\*  
\* JUDGE MINALDI  
\*  
\*  
\*  
\* MAGISTRATE JUDGE KAY  
\*

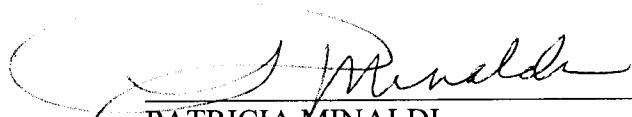
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JUDGMENT

For the reasons stated in the Report and Recommendation [Doc. 4] of the Magistrate Judge previously filed herein, consideration of the Objections [Doc. 5], after an independent review of the record, a *de novo* determination of the issues, and having determined that the findings are correct under applicable law,

**IT IS ORDERED** that the petitioner's petition [Doc. 1] be and hereby is **DISMISSED, WITH PREJUDICE**, because the court lacks jurisdiction to consider these claims. The Fifth Circuit Court of Appeals has explicitly held that *Descamps v. U.S.*, 133 S.Ct. 2276 (2013), is not retroactive on collateral review. *In re Jackson*, 776 F.3d 292, 296 (5th Cir. 2015).

Lake Charles, Louisiana, this 15 day of July, 2015.

  
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PATRICIA MINALDI  
UNITED STATES DISTRICT JUDGE