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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA**

LAKE CHARLES DIVISION

ACTION NO. 2:10cr00073-01

**JOSEPH G. SHERRICK
BOP #11487-035**

Civil Action No. 2:14cv1785

VS.

JUDGE MINALDI

WARDEN MAIORANA

MAGISTRATE JUDGE KAY

JUDGMENT

For the reasons stated in the Report and Recommendation (Rec. Doc. 3) of the Magistrate Judge previously filed herein, and after an independent review of the record, determining that the findings are correct under the applicable law, and considering the objections (Rec. Doc. 8 and 14) to the Report and Recommendation in the record;

IT IS ORDERED that the defendant's petition for writ of *habeas corpus* (Rec. Doc. 1) IS **DENIED and DISMISSED WITH PREJUDICE**. This is, in effect, an action that should be brought pursuant to §2255. The defendant must obtain permission from the Fifth Circuit Court of Appeal to file a successive 2255.

IT IS FURTHER ORDERED that the defendant's Motions to Appoint Counsel (Rec. Doc. 9 and 10) are **DENIED**.

Lake Charles, Louisiana, on this 3 day of Dec , 2015.



**PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE**