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IN LAKE CHARLES, LA.

AUG 17 2015

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

TONY R. MOORE, CLERK
BY PAF DEPUTY

JAMES A. RUSSELL,

Petitioner,

v.

CHUCK MAIORANA,

Respondent.

* CIVIL ACTION NO. 2:14-cv-2669

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* JUDGE MINALDI

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* MAGISTRATE JUDGE KAY

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JUDGMENT

For the reasons stated in the Report and Recommendation [Doc. 31] of the Magistrate Judge previously filed herein, after an independent review of the record, a *de novo* determination of the issues, a consideration of the petitioner's Objections [Doc. 32] and having determined that the findings are correct under applicable law,

IT IS ORDERED that the defendant's Motion to Dismiss [Doc. 28] be and hereby is **GRANTED**.

IT IS FURTHER ORDERED that the petitioner's Petition for a Writ of Habeas Corpus [Docs. 1 & 6] be and hereby is **DISMISSED, WITHOUT PREJUDICE**.

Lake Charles, Louisiana, this 13 day of August, 2015.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE