

U. S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

PAUL LATHAN, JR.
La. DOC #502198

CIVIL ACTION NO: 08-0731
SECTION P

VERSUS

JUDGE DONALD E. WALTER

WARDEN JOHNNY SUMLIN

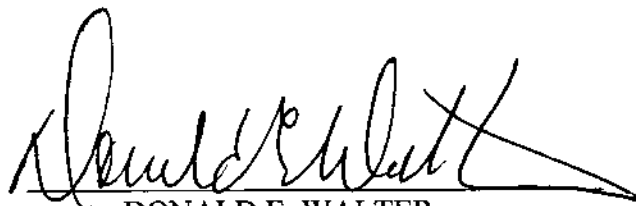
MAGISTRATE HAYES

JUDGMENT

For the reasons stated in both the Report and Recommendation and the Supplemental Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, including written objections filed by Plaintiff, and determining that the findings are correct under the applicable law;

IT IS ORDERED that Plaintiff's petition for writ of *habeas corpus* is **DISMISSED WITHOUT PREJUDICE** due to Plaintiff's failure to exhaust available state court remedies.

THUS DONE AND SIGNED, in chambers, in Shreveport, Louisiana on this 18 day of February, 2009.



DONALD E. WALTER
UNITED STATES DISTRICT JUDGE