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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION

JAMIE DALE SMITH  
LA. DOC #355512  
VS.

CIVIL ACTION NO. 09-0827

SECTION P

WARDEN, DAVID WADE CORRECTIONS  
CENTER

CHIEF JUDGE JAMES

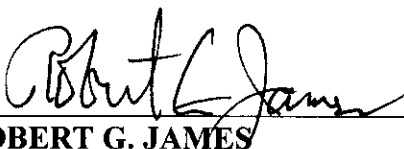
MAGISTRATE JUDGE HAYES

**J U D G M E N T**

For the reasons contained in the Report and Recommendation and Supplemental Report and Recommendation of the Magistrate Judge filed previously herein [Doc. No. 3], noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

**IT IS ORDERED** that petitioner's second and successive Application for Writ of *Habeas Corpus* be transferred to the United States Fifth Circuit Court of Appeals in accordance with 28 U.S.C. § 2244(b)(3) for further proceedings by that Court.

**THUS DONE AND SIGNED**, in chambers, in Monroe, Louisiana, on this 19 day of August, 2009.

  
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ROBERT G. JAMES  
CHIEF JUDGE