

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

**STANLEY REED
LA. DOC #552031**

**CIVIL ACTION NO. 13-1505
SECTION P**

VERSUS

JUDGE ROBERT G. JAMES

WARDEN TIM KEITH

MAGISTRATE JUDGE KAREN L. HAYES

ORDER

Pending before the Court is a pleading filed by Petitioner Stanley Reed (“Reed”), styled “Request Relief from Judgment” [Doc. No. 13].

On June 6, 2013, Reed filed a Petition for Writ of *Habeas Corpus*, pursuant to 28 U.S.C. §2254. [Doc. No. 1]. On August 7, 2013, the Magistrate Judge issued a Report and Recommendation [Doc. No. 5], recommending that the Petition be denied as untimely. On August 22, 2013, the Clerk of Court received Reed’s objections to the Report and Recommendation. [Doc. No. 6]. After reviewing the Report and Recommendation and the record, including Petitioner’s objections, the Court issued a Judgment [Doc. No. 7] adopting the Report and Recommendation and dismissing the Petition as untimely. The Court denied a certificate of appealability [Doc. No. 8], but Court granted Petitioner leave to appeal *in forma pauperis*. [Doc. No. 11].

On February 14, 2014, however, the Fifth Circuit Court of Appeals also denied a certificate of appealability, and, thus, Reed cannot proceed with an appeal.

Reed now moves the Court for relief from its September 12, 2013 Judgment and for an

evidentiary hearing. The Court finds no basis for the relief requested. Both this Court and the appellate court have had the opportunity to review Reed's Petition and have found it untimely. Accordingly,

IT IS ORDERED that the "Request for Relief from Judgment" [Doc. No. 13], including the request for an evidentiary hearing, is DENIED.

MONROE, LOUISIANA, this 11th day of March, 2014.


ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE