Kirts v. River Bend Detention Center Doc. 14

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF LOUISIANA

SHREVEPORT DIVISION

KEVIN DEON KIRTS **CIVIL ACTION NO. 11-2151-P**

VERSUS **JUDGE STAGG**

WARDEN ALVIN JONES **MAGISTRATE JUDGE HORNSBY**

J U D G M E N T

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

IT IS ORDERED that Petitioner's complaint is **DISMISSED WITHOUT PREJUDICE**, for failure to prosecute, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

Rule 11 of the Rules Governing Section 2254 Proceedings for the U.S. District Courts requires the district court to issue or deny a certificate of appealability when it enters a final order adverse to the applicant. The Court, after considering the record in this case and the standard set forth in 28 U.S.C. Section 2253, denies a certificate of appealability because the applicant has not made a substantial showing of the denial of a constitutional right.

THUS DONE AND SIGNED, in chambers, in Shreveport, Louisiana, on this 18th day of December 2012.

TOM STAGG
UNITED STATES DISTRICT JUDGE

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