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UNITED STATES DISTRICT COURT

JUN 0 9 2015

FOR THE WESTERN DISTRICT OF LOUISIANA

TONY FI. MODRE, OLD IN THE STREET OF LOUISIANA SHREVEPORT, LOUISIANA

SHREVEPORT DIVISION

PERRIN TAYLOR

CIVIL ACTION NO. 12-2719-P

**VERSUS** 

JUDGE STAGG

MIRAM HENNIGAN, ET AL.

MAGISTRATE JUDGE HORNSBY

JUDGMENT

For the reasons stated in the 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 civil rights complaint is DISMISSED WITH PREJUDICE as frivolous under 28 U.S.C. § 1915(e) and that Plaintiff's request for <a href="https://habeas.net.org/habeas">habeas</a> relief is DISMISSED WITHOUT PREJUDICE for failure to exhaust state court remedies. The Clerk of Court is instructed to send a copy of this Judgment to the keeper of the Three Strikes List in Tyler, Texas.

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

day of \_\_\_\_\_\_\_ 2015.

TOM STAGG UNITED STATES DISTRICT JUDGE