Walker v. Cain Doc. 22

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WESTERN DISTRICT OF LOUISIANA
SHREVEPORT, LOUISIANA

BY: _____

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

MARQUETTE WALKER	**CIVIL ACTION NO. 12-2874-P**
VERSUS	**JUDGE STAGG**
WARDEN N. BURL CAIN	**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, including written objections filed by Petitioner, and determining that the findings are correct under the applicable law;

IT IS ORDERED that Petitioner's application for writ of habeas corpus be **DENIED AND DISMISSED WITH PREJUDICE**, sua sponte, because it is time-barred by the one-year limitation period imposed by the AEDPA.

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 22nd day of June 2015.

TOM STAGG
UNITED STATES DISTRICT JUDGE

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