

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

THOMAS PAYNE HORN

CIVIL ACTION NO. 13-0361-P

VERSUS

JUDGE S. MAURICE HICKS, JR.

WARDEN, LOUISIANA STATE
PENITENTIARY

MAGISTRATE JUDGE HAYES

JUDGMENT

The Report and Recommendation of the Magistrate Judge having been considered, together with the written objections (Record Document 25) hereto filed with this Court, and, after a *de novo* review of the record, finding that the Magistrate Judge's Report and Recommendation is correct and that judgment as recommended therein is warranted,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED the petition for *habeas corpus* filed by Petitioner Thomas Payne Horn (Record Document 1) is **DENIED and DISMISSED WITH PREJUDICE.**

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 this 16th day of October, 2013, in Shreveport, Louisiana.


S. MAURICE HICKS, JR.
UNITED STATES DISTRICT JUDGE