

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

FOR THE WESTERN DISTRICT OF LOUISIANA

APR - 4 2014

TONY R. MOORE, CLERK

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SHREVEPORT DIVISION

MONTIE B. MONTGOMERY  
LA. DOC #412020

CIVIL ACTION NO. 5:13-CV-2369

SECTION P

versus

JUDGE TOM STAGG

WARDEN JERRY GOODWIN

MAGISTRATE JUDGE KAREN L. HAYES

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**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, and considering the objections to the Report and Recommendation,

**IT IS ORDERED** that petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (Record Document 1) is hereby **DENIED and DISMISSED WITH PREJUDICE.**

Rule 11 of the rules governing § 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. § 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, this

4<sup>th</sup> day of April, 2014.

  
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JUDGE TOM STAGG