

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

ALLEN SIMPSON

CIVIL ACTION NO. 14-2523-P

VERSUS

JUDGE ELIZABETH FOOTE

LOUISIANA DEPARTMENT
OF CORRECTIONS

MAGISTRATE JUDGE HORNSBY

JUDGMENT

Before the Court is the Report and Recommendation of the Magistrate Judge [Record Document 11], petitioner's "writ of memorandum" filing additional information with the Court, Record Document 13, and his supplemental brief. Record Document 14. The Magistrate's Report recommends that Plaintiff's petition for writ of habeas corpus be denied because Plaintiff did not submit, as ordered by the Court, documentary proof that he exhausted his available state court remedies and a response demonstrating that his petition is timely.

Under 28 U.S.C. § 2244, a one-year limitations period applies to the filing of a habeas corpus petition by a person in custody pursuant to the judgment of a state court. Plaintiff filed additional materials in response to the Report and Recommendation, but still has submitted no response or documentary evidence from which the Court may determine whether Plaintiff's petition is timely.

IT IS ORDERED that petitioner's petition for writ of habeas corpus be
DISMISSED WITHOUT PREJUDICE.

THUS DONE AND SIGNED, in chambers, in Shreveport, Louisiana, on this

13~~th~~ day of October, 2016.



Elizabeth Erny Foote
United States District Judge