

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

**CALVIN HORTON**

**CIVIL ACTION NO. 15-2437-P**

**VERSUS**

**JUDGE FOOTE**

**JAMES LEBLANC, 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 claims are **DISMISSED WITH PREJUDICE** as frivolous pursuant to Section 1915(e) until such time as the Heck conditions are met. **IT IS FURTHER ORDERED** that Plaintiff's request for habeas relief is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust state court remedies.

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.

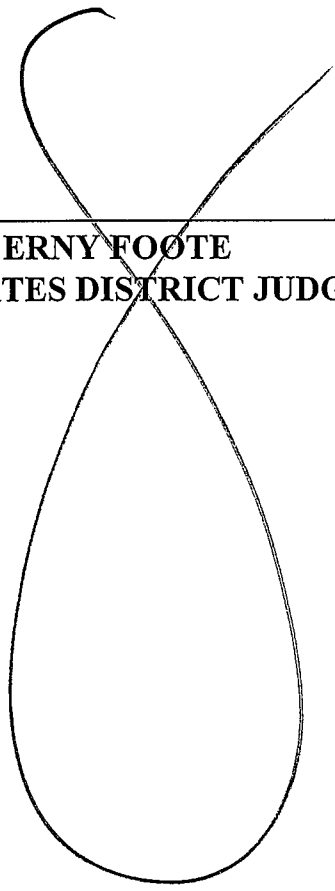
**THUS DONE AND SIGNED**, in chambers, in Shreveport, Louisiana, on this 19<sup>th</sup>

*[Handwritten signature]*

day of October 2016.

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**ELIZABETH ERNY FOOTE  
UNITED STATES DISTRICT JUDGE**

A large, stylized handwritten signature in black ink, consisting of a large loop at the top and a teardrop shape below it, positioned to the right of the printed name.