

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

LINDA KATE KEENEY PASSANITI

CIVIL ACTION NO. 16-0281-P

VERSUS

JUDGE S. MAURICE HICKS, JR.

JAMES ROGERS

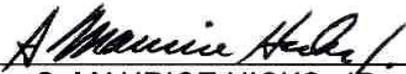
MAGISTRATE JUDGE HAYES

ORDER

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED that Petitioner's claims of ineffective assistance of counsel and actual innocence be **DENIED** and **DISMISSED** for failure to exhaust. See 28 U.S.C. § 2254(b)(1)(A). Petitioner's exhausted claims will be served on Respondent in accordance with a separate Court order.

THUS DONE AND SIGNED at Shreveport, Louisiana, on this 3rd day of March, 2017.



S. MAURICE HICKS, JR.
UNITED STATES DISTRICT JUDGE