

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

VICTOR L. DURDEN : CIVIL ACTION NO. 5:17-cv-214
DOC #444754 : SECTION P

VERSUS : JUDGE ELIZABETH E. FOOTE

JUDGE EUGENE BRYSON : MAGISTRATE JUDGE HAYES

JUDGMENT

There being no objection to the proposed findings of fact and conclusions of law in the Report and Recommendation [Record Document 8] of the Magistrate Judge previously filed herein, these findings and conclusions are accepted. Alternatively, this court concludes that the proposed findings and conclusions are entirely correct. Accordingly,

IT IS ORDERED, ADJUDGED, AND DECREED that the instant action be **DISMISSED WITHOUT PREJUDICE** because the instant complaint, though brought under § 1983, constitutes a second or successive *habeas* petition within the meaning of 28 U.S.C. § 2244(b) filed without prior authorization of the United States Fifth Circuit Court of Appeals.

THUS DONE AND SIGNED on this 25th day of Oct, 2017.



ELIZABETH E. FOOTE
UNITED STATES DISTRICT JUDGE