

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

Martin Luther Texada

Civil Action No. 07-0530

vs.

Judge Tucker L. Melançon

Burl Cain, Warden

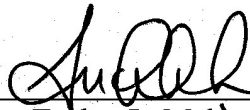
Magistrate Judge C. Michael Hill

J U D G M E N T

For the reasons stated in the Report and Recommendation and the Supplemental Report and Recommendation¹ of the Magistrate Judge previously filed herein [Rec. Docs. 47; 49], and after an independent review of the record including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that this petition for writ of *habeas corpus* is **DENIED AND DISMISSED WITH PREJUDICE**.

THUS DONE AND SIGNED, in chambers, in Lafayette, Louisiana, on this 1st day of July, 2010.



Tucker L. Melançon
UNITED STATES DISTRICT JUDGE

¹ Following the United States Supreme Court's June 14, 2010 decision in *Holland v. Florida*, 560 U.S. ___, ___, S.Ct. ___, 2010 WL 2346549 (2010), the magistrate judgment supplemented its Report and Recommendation finding that petitioner's petition for writ of *habeas corpus* was timely filed based on the requirements of *Holland*. The court adopted and reaffirmed its prior Report and Recommendation recommending dismissal of petitioner's remaining claims.