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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

**WILBERT CHARLES**  
**LA. DOC #496176**  
**VS.**

**CIVIL ACTION NO. 6:10-0365**

**SECTION P**

**JUDGE HAIK**

**STATE OF LOUISIANA, ET AL.**

**MAGISTRATE JUDGE HILL**

**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, determining that the findings are correct under the applicable law, and considering the objections to the Report and Recommendation in the record;

**IT IS ORDERED** that plaintiff's civil rights complaint be **DISMISSED WITH PREJUDICE** subject to reassertion if the requirements of *Heck v. Humphrey* are met.

**IT IS FURTHER RECOMMENDED** that plaintiff's *habeas corpus* claims be **DISMISSED WITHOUT PREJUDICE** for failure to exhaust State court remedies.

**THUS DONE AND SIGNED**, in chambers, in Lafayette, Louisiana, on this

28<sup>th</sup> day of July, 2010.

  
**RICHARD T. HAIK**  
**UNITED STATES DISTRICT JUDGE**