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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

MARILYN ROMAN LIVELY
LA. DOC #533919

VS.

CIVIL ACTION NO. 6:10-cv-1002

SECTION P

JUDGE HAIK

WARDEN JIM ROGERS

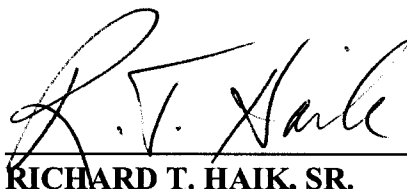
MAGISTRATE JUDGE HANNA

J U D G M E N T

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

IT IS ORDERED that this petition for *habeas corpus* be **DISMISSED WITHOUT PREJUDICE** because petitioner failed to exhaust available state court remedies.

THUS DONE AND SIGNED, in chambers, in Lafayette, Louisiana, on this 7th day of December, 2010.



RICHARD T. HAIK, SR.
UNITED STATES DISTRICT JUDGE