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MAY 31 2012

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

TONY R. MOORE, CLERK
BY _____ DEPUTY
11/40
JOHN FULLER

CIVIL ACTION NO.: 11-2235

VERSUS

JUDGE HAIK

STATE OF LOUISIANA

MAGISTRATE JUDGE HILL


ORDER

Pro se Plaintiff John Fuller's, proceeding in *forma pauperis*, instant civil rights complaint pursuant 42 U.S.C. § 1983 was referred to United States Magistrate Judge Michael Hill for report and recommendation, which was issued on May 7, 2012 [Doc. 5]. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own.

Accordingly, **IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that Plaintiff's *habeas corpus* claim be **DISMISSED WITH PREJUDICE** for failing to state a claim upon which relief may be granted.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff's civil rights complaint be **DISMISSED WITH PREJUDICE** subject to reassertion if the requirements of *Heck v. Humphrey* are met.

THUS DONE AND SIGNED at Lafayette, Louisiana on this 29th day of May, 2012.


HONORABLE RICHARD T. HAIK, SR.
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA