

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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MAY 30 2013

TONY R. MILLER, CLERK

BY  DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

DONALD CHRISTOPHER BURGO

CIVIL ACTION 12-705

VERSUS

JUDGE HAIK

WARDEN ROBERT HENDERSON

MAGISTRATE JUDGE HANNA

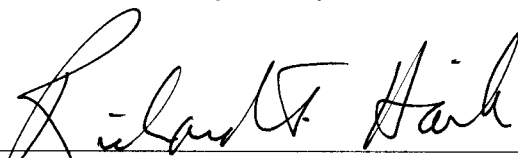
JUDGMENT

This matter was referred to United States Magistrate Judge Patrick Hanna for Report and Recommendation. After an independent review of the record, including the Objections filed, this Court concludes that the Report and Recommendation of the Magistrate Judge is correct and adopts the findings and conclusions therein as its own. As such;

The petitioner's second and successive petition for writ of *habeas corpus* is **TRANSFERRED** to the United States Court of Appeals for the Fifth Circuit pursuant to 28 USC section 1631 for further proceedings in accordance with the provisions of 28 USC section 2244(b).

PETITIONER SHOULD NOW BE AWARE THAT, BEFORE HE MAY FILE ANOTHER *HABEAS CORPUS* PETITION ATTACKING HIS ST. MARY PARISH CONVICTION FOR CRUELTY TO THE INFORMED, HE MUST FIRST SEEK PERMISSION FROM THE FIFTH CIRCUIT COURT OF APPEALS. HIS FAILURE TO HEED THIS CAUTION SHALL RESULT IN THE IMPOSITION OF SANCTIONS.

THUS DONE and SIGNED on this the 23rd day of May , 2013.



JUDGE RICHARD T. HAIK, SR.
UNITED STATES DISTRICT COURT