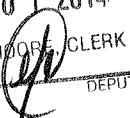


U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

CURTIS LEE JOHNSON

CIVIL ACTION 13-2252

VERSUS

JUDGE HAIK

NATHAN CAIN, WARDEN

MAGISTRATE JUDGE HANNA

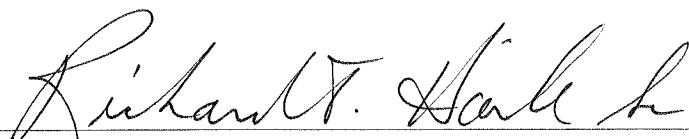
RULING

This matter was referred to Magistrate Judge Patrick Hanna for Report and Recommendation. After full consideration of the record, including the Objection filed by Curtis Lee Johnson, the Court concludes the Report and Recommendation of the Magistrate Judge is correct and, therefore, adopts the conclusions set forth therein. Accordingly,

It is hereby **ORDERED** that the Motion to Reconsider is construed as a Motion for Relief from Judgment pursuant to FRCP Rule 60(b)(6) and that motion is **GRANTED IN PART** in that the Judgment dated January 22, 2014 is **VACATED** and the matter is referred back to the Magistrate Judge for further proceedings consistent with the Report and Recommendation.

It is **FURTHER ORDERED** that the Motion for Evidentiary Hearing is **DENIED AT THIS TIME**, pending production and review of the State court record.

THUS DONE and **SIGNED** on this 30th day of September, 2014.


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

COPY SENT:
DATE: 10/17/2014
BY: CFD
TO: RTH
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