

JUN 03 2015

TONY R. MOORE, CLERK
BY  DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

KENNETH RAY BATISTE

CIVIL ACTION 14-781

VERSUS

JUDGE HAIK

JAMES LEBLANC, ET AL

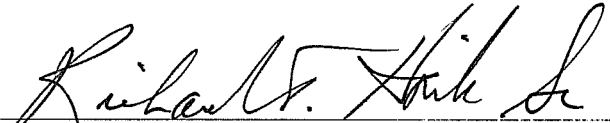
MAGISTRATE JUDGE HANNA

JUDGMENT

This matter was referred to United States Magistrate Judge Patrick Hanna for Report and Recommendation. After an independent review of the record, and noting the absence of objections, it is hereby held that the Report and Recommendation of the Magistrate Judge is correct and the findings and conclusions therein are adopted by this Court as its own.

Accordingly, the petition for *habeas corpus* is **DENIED** and **DISMISSED WITHOUT PREJUDICE** because petitioner failed to exhaust available state court remedies. Further, insofar as the motion seeks declaratory judgment and money damages, it is **DISMISSED** for failing to state a claim for which relief may be granted.

THUS DONE and **SIGNED** on this the 3rd day June, 2015.



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