UNITED STATES DISTRICT COURT

U.S. DIST COURT MIGHT FIRE DE LA

MIDDLE DISTRICT OF LOUISIANA

2009 OCT -8 P 12: 44

CALVIN WALKER (#110316)

VERSUS

CIVIL ACTION BY DEPUTY CLERK NUMBER 08-324-FJP-DLD

MAJ. KENNETH STEWART, ET AL

OPINION

After independently reviewing the entire record in this case and for reasons set forth in the Magistrate Judge's Report to which an objection was filed:

IT IS ORDERED that the parties' cross motions for summary judgment be denied and this matter be referred back to the magistrate judge for further proceedings.

Baton Rouge, Louisiana, October _______, 2009.

FRANK J. POLOZOLA MIDDLE DISTRICT OF LOUISIANA