

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

LEROY a/k/a DEREK MCSMITH

CIVIL ACTION

VERSUS

NUMBER: 06-8673

UNITED STATES, ET AL.

SECTION: "I"(5)

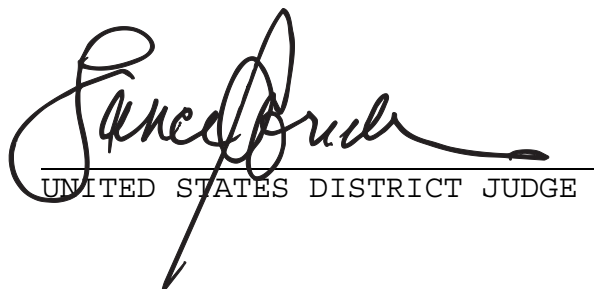
O R D E R

The Court, having considered the complaint, the record, the applicable law, the Magistrate Judge's Report and Recommendation, and the failure of petitioner to file any objections to the Magistrate Judge's Report and Recommendation, hereby approves the Magistrate Judge's Report and Recommendation and adopts it as its opinion herein.

Accordingly,

**IT IS ORDERED** that plaintiff's suit is dismissed with prejudice under 28 U.S.C. §1915(e)(2)(B)(i) and (ii).

New Orleans, Louisiana, this 20th day of November, 2006.



UNITED STATES DISTRICT JUDGE