

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

CHRISTOPHER M. HODGE

CIVIL ACTION

VERSUS

NO. 08-3193

B.B. SIXTY RAYBURN CORR.
CENTER, ET AL.

SECTION "C" (3)

ORDER

The Court, having considered the complaint, the record, the applicable law, the Report and Recommendation of the United States Magistrate Judge, and the failure of any party to file an objection to the Magistrate Judge's Report and Recommendation, hereby approves the Report and Recommendation of the United States Magistrate Judge and adopts it as its opinion in this matter. Therefore,

IT IS ORDERED that the official-capacity claims for monetary damages against Robert Tanner, Jeffery Travis, Keith Bickham, and James LeBlanc are **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that plaintiff's remaining § 1983 claims are **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that plaintiff's *habeas corpus* claim is **DISMISSED WITHOUT PREJUDICE** to its being refiled in a federal *habeas corpus* proceeding.

New Orleans, Louisiana, this 16 day of October, 2008.


UNITED STATES DISTRICT JUDGE