

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

2009 OCT 26 AM 10:33

LORETTA G. WHYTE
CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

RAGILLE DUPLESSIS

CIVIL ACTION

VERSUS

NO. 08-5149

CITY OF NEW ORLEANS, 1414
SOUTH CARROLLTON AVENUE
POPEYE'S RESTAURANT

SECTION "D" (4)

ORDER

The court, having considered the record, the applicable law, the Report and Recommendation of the United States Magistrate Judge, and the objection to the Magistrate Judge's Report and Recommendation filed by the plaintiff on October 19, 2009, 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 **Motions to Amend (Rec. Doc. Nos. 12, 14)** and **Motion for Temporary Restraining Order (Rec. Doc. No. 15)** brought by the plaintiff, Ragille Duplessis, are **DENIED**.

IT IS FURTHER ORDERED that Duplessis's **Motions for Summary Judgment (Rec. Doc. Nos. 13, 16)** are **DISMISSED** as premature.

IT IS FURTHER ORDERED that Duplessis's complaint against the City of New Orleans and Popeye's Restaurant is **DISMISSED WITH PREJUDICE** as frivolous and/or for failure to state a claim for which relief can be granted pursuant to 28 U.S.C. § 1915(e)(2) and § 1915A.

New Orleans, Louisiana, this 23 day of October, 2009.


UNITED STATES DISTRICT JUDGE

Fee

Process

Dkt'd

___ CtRmDep

___ Doc. No.

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