

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

NOLAN C. DAVIS, SR.

CIVIL ACTION

VERSUS

NO. 09-3221

MARLIN GUSMAN ET AL.

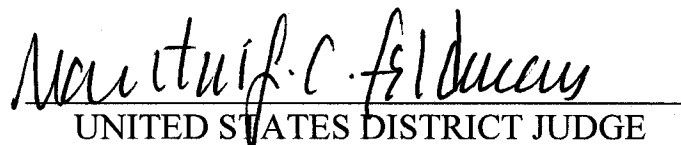
SECTION "F" (2)

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 plaintiff 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 plaintiff's complaint is hereby **DISMISSED WITHOUT PREJUDICE** to refiling after exhausting his administrative remedies.

New Orleans, Louisiana, this 18th day of MAY, 2009.


UNITED STATES DISTRICT JUDGE