

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

KELVIN FRANCIS

VERSUS

**OFFICER ANTHONY DUPREE
NEW ORLEANS POLICE DEPT.**

CIVIL ACTION

NO. 10-2498


SECTION "A"(4)

ORDER

The Court, having considered the record, the applicable law, the Report and Recommendation of the United States Magistrate Judge, and the failure of the 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 the plaintiff Kelvin Francis's 42 U.S.C. § 1983 claims against the defendant, Officer Anthony Dupree, are **DISMISSED WITH PREJUDICE** for failure to prosecute under Fed. R. Civ. P. 41(b) and failure to serve under Fed. R. Civ. P. 4(m).

March 5, 2012


UNITED STATES DISTRICT JUDGE