

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

JERMAINE MILTON

CIVIL ACTION

VERSUS

NO. 10-3216

**MARLIN GUSMAN, CRIMINAL
SHERIFF, ORLEANS PARISH**

SECTION: "S"(1)

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 plaintiff's complaint is **DISMISSED WITH PREJUDICE** as frivolous and for otherwise failing to state a claim on which relief may be granted.

New Orleans, Louisiana, this 14th day of October, 2010.


UNITED STATES DISTRICT JUDGE