

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

ASHFORD

\*

CIVIL ACTION

VERSUS

\*

NO: 12-87

GUSMAN ET AL.

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SECT. "J"(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 the Court's opinion in this matter. Therefore,

**IT IS ORDERED** that only the plaintiff's claim against Orleans Parish Sheriff Marlin Gusman for injunctive relief for the unsanitary conditions of the plaintiff's cell and the showers be allowed to proceed pending further development.

**IT IS FURTHER ORDERED** that all of the plaintiff's claims for compensatory damages and all of his remaining claims for injunctive relief be **DISMISSED WITH PREJUDICE** as frivolous and/or for failure to state a claim on which relief may be granted.

New Orleans, Louisiana, this 22nd day of March, 2012.

  
UNITED STATES DISTRICT JUDGE