

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

**TINA M. EMERSON**

**CIVIL ACTION**

**VERSUS**

**NO. 12-884**

**UNITED STATES OF AMERICA, ET AL.**

**SECTION: "S"(3)**

**O R D E R**

The Court, having considered the complaint, the record, the applicable law, the Report and Recommendation of the United States Magistrate Judge, and the plaintiff's 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, for failing to state a claim on which relief may be granted and/or for seeking monetary damages against defendants who are immune from such relief, because the United States is entitled to sovereign immunity and Judges Barbier and Shushan are entitled to absolute judicial immunity.<sup>1</sup>

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<sup>1</sup> Plaintiff filed the following motions in addition to the objection to the report and recommendation:

- (1) Motion to File a Successive *Habeas Corpus* Petition (Doc. #6);
- (2) Motion to Stay (Doc. #6);
- (3) Motion to Obtain an Application for § 2254 (Doc. #6);
- (4) Motion for the Entire State Court Record (Doc. #6);
- (5) Motion for Appointment of Counsel (Doc. #6);
- (6) Motion to Dismiss the Motion to Stay, Alternatively Motion to Rename the Relief Sought, which reiterates the requests for another successive *habeas corpus* petition and the entire state court record; requests the entire federal court records; challenges the constitutionality of Louisiana Revised Statutes § 14:89 (Doc. #7); and
- (7) Motion to Release the Prisoner (Doc. #8).

Because the above-captioned matter is dismissed as frivolous, these motions are rendered moot. This ruling does not impact the plaintiff's ability to challenge La. Rev. Stat. § 14:89's sex-offender registration requirement in an appropriate proceeding. See Doe v. Jindal, 2012 WL 1068776 (E.D. La. 3/29/2012) (Feldman, J.)

New Orleans, Louisiana, this 16th day of May, 2012.

  
UNITED STATES DISTRICT JUDGE