

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

MELVIN R. BILLIOT

CIVIL ACTION

VERSUS

NO. 12-2946

BRETT BEAVERS, ET AL.

SECTION "N"(3)

**ORDER**

The Court, having considered the complaint, the record, the applicable law, the Report and Recommendation of the United States Magistrate Judge, the letter filed by plaintiff on March 13, 2013 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 claims against Fredrick Evans Schmidt are **DISMISSED WITH PREJUDICE** as frivolous and/or for failure to state a claim on which relief may be granted.

**IT IS FURTHER ORDERED** that plaintiff's claims against Detective Brett Beavers, Detective Stephen Sodowski, Sergeant Billy Lewis, and Deputy Ryan Singleton are **STAYED**.

**IT IS FURTHER ORDERED** that the Clerk of Court is directed to mark this action **CLOSED** for statistical purposes.

**IT IS FURTHER ORDERED** that the Court retains jurisdiction and that the case be restored to the trial docket upon the motion of any party once plaintiff's state criminal prosecution is concluded, so that the stayed claims may proceed to final disposition.

New Orleans, Louisiana, this 15<sup>th</sup> day of March, 2013.

  
UNITED STATES DISTRICT JUDGE