

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

NICHOLAS DANIEL MIORANA SR.

CIVIL ACTION

VERSUS

NO. 13-0143

**SHERIFF MARLIN GUSMAN, MEDICAL
DIRCT. SAMUEL GORE, MENTAL
HEALTH DIRCT. DR. HIGGENS,
CHARLES, CHIEF OF SECURITY
WEAVER, S.O.D. CHIEF MCLAUGHLIN,
MAJ. WINNFIELD, KEVIN**

SECTION "C"(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 Nicholas Daniel Miorana, Sr.'s **Motion for Voluntary Dismissal under Fed. R. Civ. P. 41(a)(2) (Rec. Doc. No. 19)** is **GRANTED** and Miorana's 42 U.S.C. § 1983 civil rights complaint is **DISMISSED WITHOUT PREJUDICE**.

New Orleans, Louisiana, this 31st day of May, 2013.


UNITED STATES DISTRICT JUDGE