

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

DERRICK ESTES

CIVIL ACTION

VERSUS

NO. 13-723

L. VARNEDO

SECTION "B" (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 motion to dismiss is **GRANTED** and that his complaint be **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that this Court's previous order directing the Warden of the Nelson Coleman Correctional Center to collect funds from plaintiff's inmate account to pay the filing fee

in this matter is **RESCINDED** and that no further action be taken to collect the filing fee.

New Orleans, Louisiana, this 30th day of May, 2013.



UNITED STATES DISTRICT JUDGE

CLERK TO NOTIFY:

Financial

and

Warden

Nelson Coleman Correctional Center

5061 Highway 3127

Killona, LA 70057

ATTN: Inmate Banking

AND ALL PARTIES TO CAPTIONED ACTION