

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

**ALLEN DARREL ETIENNE,
Plaintiff**

CIVIL ACTION

VERSUS

NO. 13-2447

**SHERIFF MARLIN N. GUSMAN,
Defendant**

SECTION: "E"

ORDER

The Court, having considered the petition, the record, the applicable law, the Report and Recommendation of the United States Magistrate Judge, and the plaintiff's failure to object 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 own opinion. Accordingly,

IT IS ORDERED that plaintiff's complaint asserting claims pursuant to 42 U.S.C. § 1983 be and hereby is **DISMISSED WITH PREJUDICE** as legally frivolous and/or for failure to state a claim under 28 U.S.C. § 1915(e)(2).

New Orleans, Louisiana, this 11th day of June, 2013.



SUSIE MORGAN
UNITED STATES DISTRICT JUDGE