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

| | |
|---|---|
| **OBADIAH FRANCOIS, ET AL** | **CIVIL ACTION** |
| **VERSUS** | **NO. 13-2640** |
| **CITY OF GRETNA, ET AL** | **SECTION: "C" (3)** |

**ORDER & REASONS**

Before this Court is Plaintiffs Obadiah and Matthias Francois' ("Plaintiffs") second Motion for Final Judgment and Ruling or Decision or Order. (Rec. Doc. 75). Defendant City of Gretna has filed an Opposition. (Rec. Doc. 78). Plaintiffs' first Motion for Final Judgment (Rec. Doc. 55) was denied as moot by this Court on February 25, 2015. (Rec. Doc. 68). Having considered the memoranda of both parties and counsel, the record, and the applicable law, the Court finds that the Motion for Final Judgment and Ruling or Decision or Order (Rec. Doc. 75) is DENIED.

This Court's recent Order denying Plaintiffs' Motion for Summary Judgment contains a complete recitation of the facts of this matter. (Rec. Doc. 76). By way of reference, those facts are incorporated herein.

Plaintiffs' Motion for Final Judgment and Ruling or Decision or Order is a motion for this Court to issue a decision regarding Plaintiff's claims. (Rec. Doc. 75). Specifically, Plaintiffs are requesting that this Court "make a ruling based of [sic] all the current facts and legal information

that's in this courts [sic] possession, record." *Id.* at 3. The motion makes reference to the Defendant City of Gretna's Motion to Dismiss "Gretna Police" (Rec. Doc. 59)[1] and alleges that this Court has not made a ruling on that Motion. Rec. Doc. 75 at 2. However, this Court did issue an Order granting Defendant's Motion to Dismiss "Gretna Police" in the same order that denied Plaintiffs' first Motion for Final Judgment. Rec. Doc. 68. Additionally, Defendant City of Gretna has filed an answer and denied Plaintiffs' allegations. Rec. Doc. 60.

Plaintiffs allege that they have "establish[ed] through the filing of various motions[] and in their initial complaint that they are indeed entitled to the relief sought." Rec. Doc. 75 at 1. However, Plaintiffs have not provided the Court with any evidence to support the allegations and claims in their petition nor in support of their Motion for Final Judgment. Plaintiffs have previously submitted paperwork from their arrest and state criminal prosecutions. Rec. Doc. 4 at 22-43. These documents do not prove that a civil rights violation or illegal search and seizure occurred. Without proof or evidence from the Plaintiffs regarding their claims, their Motion for Final Judgment must be denied.

---

[1]Plaintiffs' Motion alleges that Defendant's Motion to Dismiss involved dismissing the complaint against both Defendant City of Gretna and "Gretna Police". Rec. Doc. 75 at 1. However, the Motion actually involved dismissing the claims against "Gretna Police" only. Rec. Doc. 59.

For the reasons set forth above,

IT IS ORDERED that Plaintiffs' Motion for Final Judgment and Ruling or Decision or Order is DENIED.

New Orleans, Louisiana, this 16th day of April, 2015

HELEN G. BERRIGAN
UNITED STATES DISTRICT JUDGE