

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

BENJAMIN LOUIS COCKRUM

CIVIL ACTION

VERSUS

NO. 13-5329

BESSIE CARTER, ET. AL.

SECTION "T"(4)

ORDER

Before the Court is the Report and Recommendation¹ of the U.S. Magistrate Judge. On April 16, 2014, within the time in which to file objections, plaintiff submitted a document titled "Motion To Enter Evidence into the Record."² The Court construes the motion as an objection to the Report and Recommendation, and it is hereby **OVERRULED**.

The Court, having considered the record, the applicable law, the Report and Recommendation of the U.S. Magistrate Judge, and the plaintiff's motion, 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 Benjamin Louis Cockrum's claims brought under 42 U.S.C. § 1983 against Warden Robert Tanner, Bessie Carter and Dr. Casey McVea are **DISMISSED WITH PREJUDICE** as frivolous and for failure to state a claim for which relief can be granted pursuant to 28 U.S.C. § 1915(e), § 1915A, and 42 U.S.C. § 1997e.

¹Rec. Doc. No. 24.

²Rec. Doc. No. 25. The Court notes that the document was not received by the Court and filed into the record until April 24, 2014.

IT IS FURTHER ORDERED that the **Motion to Dismiss (Rec. Doc. No. 11)** filed by the defendants, Bessie Carter, Dr. Casey McVea and Warden Robert Tanner is **DISMISSED as MOOT**.

IT IS FURTHER ORDERED that the **Motion to Enter Evidence into the Record (Rec. Doc. No. 25)** filed by the plaintiff is **DISMISSED as MOOT**.

New Orleans, Louisiana, this 25th day of April, 2014.


UNITED STATES DISTRICT JUDGE