

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

JOSEPH DAUZAT

VERSUS

BESSIE CARTER, ET AL.

CIVIL ACTION

NO: 14-0239

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 plaintiff Joseph Dauzat's 42 U.S.C. § 1983 claims against the defendant, Warden Robert Tanner, 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.

IT IS FURTHER ORDERED that the **Motion to Dismiss (R. Doc. 19)** filed by Dr. Casey McVea, Nurse Laura Buckley, and Bessie Carter is **DENIED in part and GRANTED in part**. The motion is **DENIED** as to Dauzat's claims for monetary relief against Dr. Casey McVea, Nurse Laura Buckley, and Bessie Carter in their individual capacity and claims for injunctive relief in their official capacity, and is **GRANTED** as to Dauzat's claims against Dr. Casey McVea, Nurse Laura Buckley, and Bessie Carter for monetary damages in their official capacity.

New Orleans, Louisiana, this 30th day of April, 2015.


UNITED STATES DISTRICT JUDGE