

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

CHARLEY JAMES

CIVIL ACTION

VERSUS

NO. 14-591

ORLEANS PARISH PRISON, ET AL.

SECTION "H" (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 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 Sheriff Gusman's motion for judgment on the pleadings, Rec. Doc. 12, is **GRANTED IN PART AND DENIED IN PART**. **IT IS ORDERED** that the motion is **GRANTED** with respect to the official-capacity claim against him and that claim is **DISMISSED WITH PREJUDICE**. **IT IS ORDERED** that the motion is **DENIED** with respect to the individual-capacity claim against Sheriff Gusman.

IT IS FURTHER ORDERED that the claim against the Orleans Parish Prison is **DISMISSED WITH PREJUDICE** as frivolous and/or for failing to state a claim upon which relief may be granted.

New Orleans, Louisiana, this 11th day of July, 2014.


UNITED STATES DISTRICT JUDGE