

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

KIMBLE

CIVIL ACTION

VERSUS

NO: 14-625

CONNICK ET AL.

SECTION: "J" (4)

ORDER

The Court, having considered the record, the applicable law, and the *Report and Recommendation* of the United States Magistrate Judge (**Rec. Doc. 7**), hereby approves the Report and Recommendation of the United States Magistrate Judge and adopts it as its opinion herein. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's § 1983 claims against defendants Paul Connick, Jr., and Detective Stanley Brown (**Rec. Doc. 3**) are DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED that Plaintiff's § 1983 claims against Jefferson Parish are DISMISSED WITHOUT PREJUDICE pursuant to Fed. R. Civ. P. 41(a).¹

IT IS FURTHER ORDERED that Plaintiff's *Motion to Amend* (**Rec.**

¹ Although the Report and Recommendation recommended that this claim be dismissed with prejudice, a plaintiff's voluntary dismissal requested before a defendant files either an answer or a motion for summary judgment should be without prejudice under Fed. R. Civ. P. 41(a).

Doc. 6) is DENIED.

IT IS FURTHER ORDERED that Plaintiff's *Second Motion to Amend* (Rec. Doc. 8) is DENIED as moot.

New Orleans, Louisiana this 1st day of July, 2014.



CARL J. BARBIER
UNITED STATES DISTRICT JUDGE