

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

WILMER ANTHONY SEGUE, III

CIVIL ACTION

VERSUS

NO. 14-2842

DAVID P. CAROLLO ET AL.

SECTION "N" (2)


ORDER

The court, having considered the complaint, the record, the applicable law, the Report and Recommendation of the United States Magistrate Judge, and the failure of 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 plaintiff's complaint asserting claims pursuant to 42 U.S.C. § 1983 is hereby **DISMISSED WITH PREJUDICE** as legally frivolous, duplicative and malicious under 28 U.S.C. § 1915(e)(2)(B)(i) or under Heck v. Humphrey, 512 U.S. 477 (1994), until such time as the Heck requirements are met.

IT IS FURTHER ORDERED that all habeas corpus claims asserted in plaintiff's Section 1983 complaint are **DISMISSED WITHOUT PREJUDICE** for failure to exhaust state court remedies.

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


KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE