

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

PHILLIP THOMAS KERR

VERSUS

**ORLEANS PARISH SHERIFF'S OFFICE,
PRISON**

CIVIL ACTION

NO. 15-0746

SECTION "E"(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 Phillip Thomas Kerr's claims pursuant to 42 U.S.C. § 1983 against the defendants, Orleans Parish Sheriff's Office and Prison and Orleans Parish Sheriff Marlin N. Gusman, are **DISMISSED WITH PREJUDICE** as frivolous and otherwise for failure to state a claim for which relief can be granted in accordance with 28 U.S.C. § 1915(e) and § 1915A and 42 U.S.C. § 1997e.

New Orleans, Louisiana, this 10th day of August, 2015.



SUSIE MORGAN
UNITED STATES DISTRICT JUDGE