

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

TYRONE JUDE WHITTINGTON

CIVIL ACTION

VERSUS

NO. 16-1702

NEWELL NORMAND, ET AL.

SECTION: "J"(1)

ORDER

The Court, having considered the complaint, the record, the applicable law, the Partial Report and Recommendation of the United States Magistrate Judge, the objection to the Magistrate Judge's Partial Report and Recommendation (Rec. Doc. 36), and the opposition thereto (Rec. Doc. 37), hereby **OVERRULES** Plaintiff's objection and approves the Partial Report and Recommendation of the United States Magistrate Judge and adopts it as its opinion in this matter. Accordingly,

IT IS ORDERED that the motion filed by Correcthealth Jefferson, LCC, (Rec. Doc. 19), is **GRANTED** and that the claims against that defendant are **DISMISSED WITHOUT PREJUDICE**.¹

IT IS FURTHER ORDERED that that plaintiff's claims against the State of Louisiana are **DISMISSED WITHOUT PREJUDICE** pursuant to the Eleventh Amendment for lack of jurisdiction.

New Orleans, Louisiana, this 7th day of February, 2016.


UNITED STATES DISTRICT JUDGE

¹ This Order does not affect Plaintiff's Motion for Leave to Amend Complaint (Rec. Doc. 39), which the Magistrate Judge will address in due course.