

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

**HAROLD AMON HOUSTON, ET AL.,  
Plaintiffs**

**CIVIL ACTION**

**VERSUS**

**NO. 16-17558**

**BLAINE HOWARD, ET AL.,  
Defendants**

**SECTION: "E"**

**ORDER**

Before the Court is Plaintiffs Harold Amon Houston and Wynika Trachelle Houston's complaint pursuant to 42 U.S.C. § 1983 against Jefferson Parish Sheriff's Deputies Blaine Howard and Andre Nelson.<sup>1</sup> A prisoner's pro se complaint for alleged civil rights violations must be screened by the court sua sponte as soon as practicable after docketing, regardless whether it has also been filed in forma pauperis.<sup>2</sup> "A federal court may dismiss a claim in forma pauperis 'if satisfied that the action is frivolous or malicious.'"<sup>3</sup> This matter was referred to the United States Magistrate Judge, who issued his Report and Recommendation on August 14, 2017.<sup>4</sup> The period for objections ended on October 3, 2017, with no objections having been filed. The Court, having considered the complaint, the record, the applicable law, and the magistrate judge's Report and Recommendation finds the magistrate judge's findings of fact and conclusions of law are correct and hereby approves the United States Magistrate Judge's Report and Recommendation and adopts it as its opinion in this matter. Therefore,

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<sup>1</sup> R. Doc. 1.

<sup>2</sup> 28 U.S.C. § 1915A(a); *Lee v. Hennigan*, 98 F. App'x 286, 287 (5th Cir. 2004) (citing *Ruiz v. United States*, 160 F.3d 273, 274 (5th Cir. 1998)).

<sup>3</sup> *Moore v. McDonald*, 30 F.3d 616, 620 (5th Cir. 1994).

<sup>4</sup> R. Doc. 26.

**IT IS ORDERED** that Plaintiffs Harold Amon Houston and Wynika Trachelle Houston's claims against Jefferson Parish Sheriff's Deputies Blaine Howard and Andre Nelson<sup>5</sup> be **DISMISSED WITH PREJUDICE** as frivolous and otherwise for failure to state a claim for which relief can be granted pursuant to 28 U.S.C. § 1915(e)(2) and 42 U.S.C. § 1997e(c)(1).

**New Orleans, Louisiana, on this 23rd day of October 2017.**

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*Susie Morgan*  
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**SUSIE MORGAN**  
**UNITED STATES DISTRICT JUDGE**

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<sup>5</sup> R. Doc. 1.