

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

KENNETH IDEL

CIVIL ACTION

VERSUS

NO. 17-01553

SECRETARY JAMES M. LEBLANC,  
WARDEN SANDY MCCAIN, KEITH  
BICKHAM, BEVERLY KELLY,  
JONATHAN TYNES, SERGEANT POPE,  
DR. CASEY MCVEA, AND OTHER AS YET  
UNKNOWN DEFENDANTS

SECTION "G"(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 the **Motion to Dismiss (Rec. Doc. No. 9)** filed by the defendants, Secretary James M. LeBlanc, Warden Sandy McCain, Deputy Warden Keith Bickham, Assistant Deputy Warden Beverly Kelly, Sergeant Jonathan Tynes, Theresa Knight, RN, and Dr. Casey McVea is **DISMISSED AS MOOT** and without prejudice to the review of the defendants' other pending Motions to Dismiss (Rec. Doc. Nos. 27 and 33).

New Orleans, Louisiana, this 22<sup>nd</sup> day of January, 2018.

  
UNITED STATES DISTRICT JUDGE