

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

ANTHONY BELVIN

CIVIL ACTION

VERSUS

NO. 17-1776

**GREG CHAMPAGNE, SHERIFF OF
ST. CHARLES PARISH, ET AL.**

SECTION: "E" (4)


ORDER

Before the Court is the Federal Bureau of Prison's partial motion to dismiss.¹ This matter was referred to the United States Magistrate Judge, who issued her partial report and recommendations on August 31, 2017.² The period for objections ended on September 14, 2017, with no objections having been filed. The Court, having considered the complaint, the record, the applicable law, and the United States Magistrate Judge's Report and Recommendation finds the magistrate judge's findings of fact and conclusions of law are correct and 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 Defendants' motion is **GRANTED IN PART** dismissing with prejudice the Plaintiff's 42 U.S.C. § 1983 and state medical malpractice claims against Defendants, Sheriff Champagne and Major Robinson, each in their official and individual capacities.

IT IS FURTHER ORDERED that the Defendants' motion is **DENIED IN PART** as to Plaintiff's state negligence claims against Sheriff Champagne and Major Robinson each in their individual and official capacities.

New Orleans, Louisiana, on this 25th day of September 2017.



SUSIE MORGAN
UNITED STATES DISTRICT JUDGE

¹ R. Doc. 27.

² R. Doc. 28.