

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

**BREIUN VICHA FOLSE**

**CIVIL ACTION**

**VERSUS**

**NO. 17-9624**

**DY. ROBERT KNIGHT, WARDEN  
CANTRELLE DAVIS, SHERIFF  
CRAIG WEBRE**

**SECTION "S"(4)**

**ORDER**

The Court, having considered the record, the applicable law, the Partial Report and Recommendation of the Chief United States Magistrate Judge, and the failure of the plaintiff to file an objection to the Chief Magistrate Judge's Partial Report and Recommendation, hereby approves the Partial Report and Recommendation of the Chief United States Magistrate Judge and adopts it as its opinion in this matter. Therefore,

**IT IS ORDERED** that the 42 U.S.C. §1983 claims by Breiun Vicha Folse against Warden Cantrelle Davis and Sheriff Craig Webre are **DISMISSED WITH PREJUDICE** as frivolous and for failure to state a claim for which relief can be granted pursuant to 28 U.S.C. §1915(e), §1915A and 42 U.S.C. §1997e.

**IT IS FURTHER ORDERED** that Folse's § 1983 claims against Deputy Robert Knight for cruel and unusual punishment under the Eighth Amendment arising from the alleged sexual touching shall proceed and remain referred to the Magistrate Judge for further pretrial proceedings.

New Orleans, Louisiana, this 10th day of July, 2018.

  
**UNITED STATES DISTRICT JUDGE**

**CLERK TO NOTIFY CHIEF MAGISTRATE  
JUDGE KAREN WELLS ROBY**