

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

**JASON JARREL SPIKES,
Plaintiff**

CIVIL ACTION

VERSUS

NO. 17-17638

**WILLIAM J KNIGHT,
Defendant**

SECTION: "E" (2)

ORDER

Before the Court is pro se Plaintiff Jason Jarrel Spikes' civil rights complaint against Defendant Judge William Knight.¹ In his complaint, Plaintiff, who is currently incarcerated, challenges Judge Knight's actions in sentencing him to an allegedly excessive sentence. A prisoner's pro se complaint for alleged civil rights violations must be screened by the Court as soon as practicable after docketing, regardless whether it has been filed in forma pauperis.² Plaintiff's complaint was referred to the United States Magistrate Judge who issued his Report and Recommendation on February 21, 2018.³ The period for objections ended on March 7, 2018, with no objections having been filed.⁴ On March 21, 2018, Plaintiff untimely filed an objection.⁵

In his Report and Recommendation, Magistrate Judge Wilkinson concluded Judge Knight is entitled to judicial immunity, as judges are immune from liability for judicial acts done within their jurisdiction.⁶ In his opposition, Plaintiff Spikes does not address the issue

¹ R. Doc. 6.

² 28 U.S.C. § 1915A(a); *see also* *Martin v. Scott*, 156 F.3d 578, 579–80 (5th Cir. 1998); *Lewis v. Estes*, 242 F.3d 375, 2000 WL 1673382, at *1 (8th Cir. 2006); *Shakur v. Selsky*, 391 F.3d 106, 112 (2d Cir. 2004).

³ R. Doc. 9.

⁴ *Id.*

⁵ R. Doc. 10.

⁶ *Stump v. Sparkman*, 435 U.S. 349, 356 (1978) (citing *Bradley v. Fisher*, 80 U.S. 335 (1871)); *Mays v. Sudderth*, 97 F.3d 107, 110 (5th Cir. 1996); *see also* *Ammons v. Baldwin*, 705 F.2d 1445, 1447 (5th Cir. 1983) (“A judge, of whatever status in the judicial hierarchy, is immune from suit for damages resulting from any acts performed in [his or her] judicial role.”) (citations omitted).

of judicial immunity; rather, he contends Judge Knight was “practicing malfeasance in office by obstructing justice by being an officer and withholding records,” and asks the Court to provide him with the transcript from his trial.⁷

The Court, having considered the record, the applicable law, relevant filings, 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.⁸

Accordingly;

IT IS ORDERED that Plaintiff Jason Jarrel Spikes’ complaint against Defendant William Knight be and hereby is **DISMISSED WITH PREJUDICE**.⁹

New Orleans, Louisiana, this 26th day of March 2018.

Susie Morgan

SUSIE MORGAN
UNITED STATES DISTRICT JUDGE

⁷ R. Doc. 10.

⁸ R. Doc. 9.

⁹ R. Doc. 6.