

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

DAYTREND DENONE MOSES

CIVIL ACTION

VERSUS

NO. 20-2361

MOHAMED MAHMOUD, ET AL.

SECTION "H"(4)

ORDER

The Court, having considered the complaint, the record, the applicable law, the Partial Report and Recommendation of the Chief United States Magistrate Judge (Doc. 17), and the failure of any party 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 plaintiff Daytrend DeNone Moses's 42 U.S.C. § 1983 claims against defendants Nurse Juanasha Smith and Deputy Garrett Haun are **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) and § 1915A.

IT IS FURTHER ORDERED that Moses's § 1983 claims against defendants Sgt. Darryl Richardson and Lt. Elizabeth Raiford for use of verbal slurs and threats and failure to investigate and address his PREA complaint are **DISMISSED WITH PREJUDICE** as frivolous and otherwise for failure to state a claim for which relief can be granted pursuant to § 1915(e) and § 1915A.

Moses's § 1983 claims against defendants Deputy Mohamed Mahmoud for intentional indifference and excessive force and against Sgt. Richardson and Lt. Raiford for intentional

indifference and failure to intervene remain referred to the Chief Magistrate Judge for further proceedings.

New Orleans, Louisiana, this 9th day of September, 2021.



JANE TRICHE MILAZZO
UNITED STATES DISTRICT JUDGE