

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

NICOLO EVOLA LOGIUDICE, JR. * CIVIL ACTION
VERSUS * NO. 21-1148
NELSON COLEMAN CORRECTIONAL * SECTION "S" (2)
CENTER, ET AL.

ORDER AND REASONS

Plaintiff filed the instant suit under 42 U.S.C. § 1983, alleging that three separate prison facilities had medically treated him without his consent, and seeking \$7,000,000,000 for pain and suffering. On November 5, 2021, this court entered an order granting the plaintiff 21 days within which to amend his complaint to specify the date of the alleged unauthorized treatment, to identify a proper defendant, and to set forth sufficient factual allegations to support a claim under 42 U.S.C. § 1983.

Plaintiff timely filed an amended complaint that does not cure these defects. While the amended complaint mentions Sheriff Greg Champagne, the only date mentioned in the amended complaint is "on or around April 2009." Plaintiff also asserts that he no longer believes this case is a § 1983 case, but rather is "a liability suit." He does not specify what alternative basis for liability besides § 1983 upon which his claims are premised, what duty was owed him on that basis, and how it was breached. Accordingly, as amended, the complaint fails to state a claim upon which relief can be granted, and therefore,

IT IS HEREBY ORDERED that plaintiff's amended complaint is **DISMISSED** for failure to state a claim.

New Orleans, Louisiana, this 10th day of January, 2022.

A handwritten signature in black ink, reading "Mary Ann Vial Lemmon". The signature is written in a cursive style and is positioned above a horizontal line.

MARY ANN VIAL LEMMON
UNITED STATES DISTRICT JUDGE