

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

LYNN WARNER

CIVIL ACTION

VERSUS

NO. 03-168-JJB-SCR

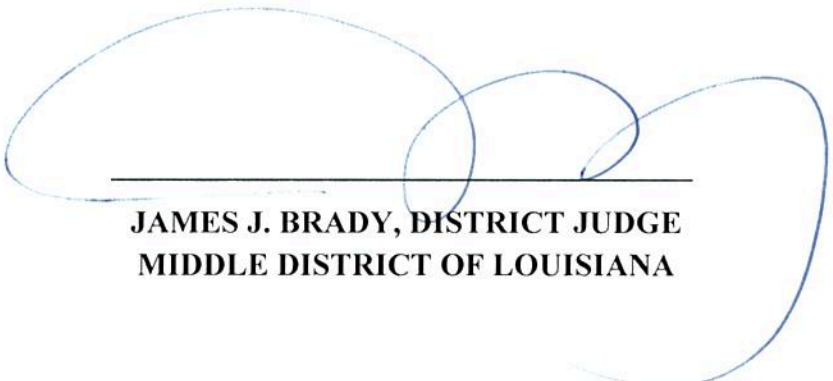
BURL CAIN, ET AL

RULING ON REPORT AND RECOMMENDATION

The court has carefully considered the record, the law applicable to this action, and the Report and Recommendation of the United States Magistrate Judge Stephen C. Riedlinger, dated January 31, 2014 (doc. 34). The court has further considered the objections filed by the plaintiff (doc. 35).

The court finds the magistrate judge has correctly cited and applied the law. The court finds no abuse of discretion in the magistrate judge's application of the requirements for a Motion for Relief From Judgment Pursuant to Federal Rule 60(b). The plaintiff failed to allege facts that would entitle him to relief pursuant to Federal Rule of Civil Procedure 60(b). Furthermore, the plaintiff failed to timely file the Motion for Relief From Judgment Pursuant to Federal Rule 60(b). The court hereby approves and adopts the Report and Recommendation of the magistrate judge. Accordingly, the plaintiff's Motion for Relief From Judgment Pursuant to Federal Rule 60(b) is DENIED and a certificate of appealability is DENIED.

Baton Rouge, Louisiana, March 5, 2014.



**JAMES J. BRADY, DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA**