

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

SHEDRICK BRUMFIELD (#395469)

VERSUS

CIVIL ACTION

SHIRLEY COODY, ET AL

NUMBER 07-64-FJP-SCR

RULING ON MOTION TO CORRECT SERVICE
and
ORDER DISMISSING DEFENDANT

Before the court is the plaintiff's Motion to Correct Service, which shall be construed as including a motion to amend the complaint. Record document number 68. Defendant filed a response.¹

Plaintiff's motion effectively seeks to amend the complaint (1) to identify Capt. Barrett Beoker as the defendant previously identified as Lt. Beoker in the complaint, and (2) to substitute Charles Honeycutt as a defendant in place of defendant David Honeycutt, which would constitute a Rule 41(a)(1), Fed.R.Civ.P., dismissal of David Honeycutt.

In her response defendant Shirley Coody stated that she has no objection to plaintiff's proposed amendment and substitution.

Accordingly, the plaintiff's Motion to Correct Service is granted. Plaintiff's complaint is amended to identify Capt. Barrett Beoker as the defendant previously identified as Lt.

¹ Record document number 75.

Beoker.

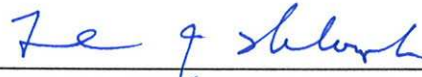
Furthermore;

IT IS ORDERED that Charles Honeycutt is joined as a defendant, and defendant David Honeycutt is dismissed pursuant to Rule 41(a)(1).

IT IS FURTHER ORDERED that Charles Honeycutt and Capt. Barrett Beoker be served with the summons and complaint in accordance with law.

IT IS FURTHER ORDERED that the U.S. Marshal serve defendants Charles Honeycutt and Capt. Barrett Beoker wherever found.

Baton Rouge, Louisiana, September 22, 2010.



FRANK J. POLÓZOLA
MIDDLE DISTRICT OF LOUISIANA