

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

MERRICK CARTER (#314080)

VERSUS

BURL CAIN, ET AL

CIVIL ACTION

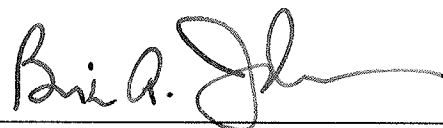
NO. 07-116-BAJ-DLD

RULING

This matter is before the Court on a motion by the only remaining defendant in this action, Walter Newman, to dismiss (doc. 45). Plaintiff filed no opposition to the motion. The Court has carefully considered the complaint, the record, the law applicable to this action, and the Report and Recommendation of the United States Magistrate Judge dated August 16, 2010 (doc. 52). The Plaintiff has filed an objection which the Court has also considered (doc. 56).

The Court hereby approves the Report and Recommendation of the Magistrate Judge and adopts it as the Court's opinion herein. Accordingly, the motion by defendant, Walter Newman, to dismiss for failure to state a claim (doc. 45) is **GRANTED** and all claims asserted against defendant, Walter Newman, are hereby **DISMISSED** with prejudice and this action shall be dismissed.

Baton Rouge, Louisiana, April, 27 2011.



BRIAN A. JACKSON
UNITED STATES DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA