

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

CESAR ROCA (#457210)

VERSUS

RICHARD STALDER, ET AL

CIVIL ACTION

NO. 07-511-JVP-DLD

RULING

The court after carefully considering the complaint filed by plaintiff, the motions, the record, the law applicable to this action, and the Report and Recommendation (doc. 26) of United States Magistrate Judge Docia L. Dalby dated September 15, 2010, to which no objection has been filed, hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein.

Accordingly, plaintiff's Motion for Summary Judgment, (doc. 25), is hereby denied, and summary judgment be granted, sua sponte, in favor of the defendants, dismissing the plaintiff's claims, with prejudice, for failure to state a claim upon which relief may be granted. Defendants are hereby assessed the plaintiff's costs in this case, in accordance with Fed. R. Civ. P. Rule 16(f), and this action shall be dismissed. Defendants are directed to file a certificate of compliance indicating that they have paid the plaintiff's court costs and have reimbursed any costs which he may have previously paid.

Baton Rouge, Louisiana, December 13th 2010.



JAMES J. BRADY, JUDGE  
MIDDLE DISTRICT OF LOUISIANA