

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
JAN 15 2010
2:25 P

REYNARD FRICK (#475403)

VERSUS

CIVIL ACTION

STATE OF LOUISIANA, ET AL

NUMBER 07-779-JVP-DLD

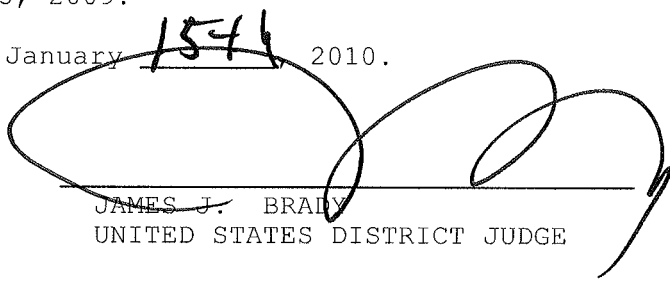
RULING

This matter was remanded by the United States Court of Appeals for the Fifth Circuit to the district court to determine whether the plaintiff delivered the notice of appeal to prison officials on or before June 15, 2009.

On December 21, 2009, the plaintiff was ordered within 15 days to submit affidavits, documents, or other evidence necessary to establish whether he delivered his notice of appeal to prison officials on or before June 15, 2009. Plaintiff was placed on notice that the failure to timely respond to the order may result in a determination that he did not timely deliver his notice of appeal to prison officials on or before June 15, 2009.

Plaintiff failed to respond to the court's order. A review of the record showed that Judgment was entered on May 14, 2009. Plaintiff's notice of appeal was filed on June 23, 2009. The record evidence showed that the plaintiff did not deliver his notice of appeal to prison officials on or before June 15, 2009.

Baton Rouge, Louisiana, January 15th 2010.



JAMES J. BRADY
UNITED STATES DISTRICT JUDGE