

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

FILED  
U.S. DIST. COURT  
MIDDLE DISTRICT OF LA  
2009 AUG 17 P 2:20

BRANDON R. CHAMBERS (#440828)

CIVIL ACTION

VERSUS

NO. 07-848-C

RICHARD STALDER, ET AL

**RULING**

The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Christine Noland dated July 10, 2009. Defendants have filed an objection which the court has considered.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein.

Accordingly, the plaintiff's claims against defendant Donald Fields are dismissed for failure of the plaintiff to serve this defendant within 120 days as mandated by Rule 4(m) of the Federal Rules of Civil Procedure. Further the Motion for Summary Judgement of the remaining defendants (rec. doc. 76) is denied, and this matter is referred back to the United States Magistrate Judge for further proceedings.

Baton Rouge, Louisiana, August 17, 2009.

  
RALPH E. TYSON, CHIEF JUDGE  
MIDDLE DISTRICT OF LOUISIANA