

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DIST. COURT
MIDDLE DIST. OF LA

2009 JUN 10 A 11:07

FELTON H. HODGES (#110748)

VERSUS

CIVIL ACTION NO.: 07-874-JVP-DLD

DOCTOR SANDRA, ET AL

SIGN
BY DEPUTY CLERK

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 Docia L. Dalby dated May 12, 2009 (doc. 15). Plaintiff has filed an objection which merely restates legal argument and does not require *de novo* factual findings under 28 U.S.C. § 636.

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 "Doctor Sandra" shall be **DISMISSED**, without prejudice, pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, for failure to serve defendant within 120 days of the filing of plaintiff's Complaint, and this action shall be **DISMISSED**, without prejudice.

Judgment shall be entered accordingly.

Baton Rouge, Louisiana, June 10, 2009.


JOHN V. PARKER
UNITED STATES DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA