

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

GREGORY J. JEANLOUIS (#121703)

CIVIL ACTION

VERSUS

STATE OF LOUISIANA, ET AL.

NO. 08-0021-FJP-CN

O P I N I O N

After independently reviewing the entire record in this case and for reasons set forth in the Magistrate Judge's Report to which an objection was filed:

IT IS ORDERED that the defendants' motion for summary judgment¹ shall be GRANTED, dismissing the plaintiff's claims against the moving defendants, without prejudice, as a result of the plaintiff's failure to exhaust administrative remedies as mandated by 42 U.S.C. §1997e, but with prejudice to his refiling the same claim in forma pauperis.²

IT IS FURTHER ORDERED that the plaintiff's claims asserted against the remaining state-employed defendants shall be similarly dismissed for failure to exhaust administrative remedies (again with prejudice to refiling in forma pauperis) and/or as legally frivolous within the meaning of 28 U.S.C. §1915, and that the plaintiff's claims asserted against the United States Postal Service and the United States Middle District Clerk of Court Nick

¹ Rec. Doc. No. 29.

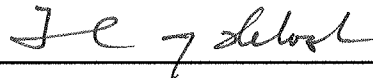
² See Underwood v. Wilson, 151 F.3d 292 (5th Cir. 1998)
Doc#46663

Lorio shall be DISMISSED, with prejudice, as legally frivolous.

IT IS FURTHER ORDERED that the Court declines to exercise supplemental jurisdiction over the plaintiff's state law claims and that this action shall be DISMISSED.

Judgment shall be entered accordingly.

Baton Rouge, Louisiana, March 31, 2010.



FRANK J. POLOZOLA
MIDDLE DISTRICT OF LOUISIANA