

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

THEODORE SMITH  
(#313084)

CIVIL ACTION

VERSUS

NO. 08-30-BAJ-DLD

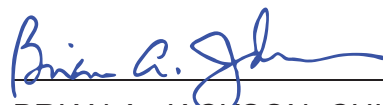
LT GABRIEL HEBERT, ET AL

**RULING**

The Court, after carefully considering the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Docia L. Dalby dated August 26, 2011 (doc. 231), 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, the Motion for Summary Judgment filed by defendants is granted and plaintiff's Motion for Summary Judgment is denied and this action shall be dismissed.

Baton Rouge, Louisiana, September 30, 2011.



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BRIAN A. JACKSON, CHIEF JUDGE  
UNITED STATES DISTRICT JUDGE  
MIDDLE DISTRICT OF LOUISIANA