

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

LEROY FIELDS (#115883)

VERSUS

CIVIL ACTION

SHIRLEY COODY, ET AL

NUMBER 08-175-JJB-DLD

NOTICE

Please take notice that the attached Magistrate Judge's Report has been filed with the Clerk of the U. S. District Court.

In accordance with 28 U.S.C. § 636(b)(1), you have ten days after being served with the attached report to file written objections to the proposed findings of fact, conclusions of law, and recommendations set forth therein. Failure to file written objections to the proposed findings, conclusions and recommendations within ten days after being served will bar you, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the District Court.

ABSOLUTELY NO EXTENSION OF TIME SHALL BE GRANTED TO FILE WRITTEN OBJECTIONS TO THE MAGISTRATE JUDGE'S REPORT.

Signed in Baton Rouge, Louisiana, on November 5, 2009.



MAGISTRATE JUDGE DOCIA L. DALBY

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AMENDED MAGISTRATE JUDGE'S REPORT

A magistrate judge's report was submitted to the district judge on October 20, 2009, recommending, in part, that the claims against K. Juneu, Capt. Chad and Sgt. Turner be dismissed for failure to prosecute pursuant to Rule 4(m), Fed.R.Civ.P.

On November 5, 2009, the plaintiff was granted leave to amend the complaint to identify these unserved defendants.

As a result, the magistrate judge's report is amended to delete the recommendation that the claims against (Kenneth) Juneau, Chad (Oubre) and (Damon) Turner be dismissed pursuant to Rule 4(m), Fed. R.Civ.P.

RECOMMENDATION

It is the recommendation of the magistrate judge as amended herein, that the parties' cross motions for summary judgment be denied.

Signed in Baton Rouge, Louisiana, on November 5, 2009.



MAGISTRATE JUDGE DOCIA L. DALBY