

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA
BATON ROUGE, LA
20 JUL 21 P 2:23

DIANE HAMILTON

VERSUS

OSCAR ALVARADO-CRUZ, ET AL

CIVIL ACTION

NO. 08-653-C

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 Christine Noland dated June 17, 2009, 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 to dismiss pursuant to FRCP Rule 12 (rec.doc. 22) filed by defendant, Oscar Alvarado-Cruz is denied..

Baton Rouge, Louisiana, July 21, 2009.



RALPH E. TYSON, CHIEF JUDGE
MIDDLE DISTRICT OF LOUISIANA