

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

MICHAEL CLENNON (#323402)

VERSUS

CIVIL ACTION NO.: 08-677-JVP-DLD

JAMES M. LEBLANC, ET AL

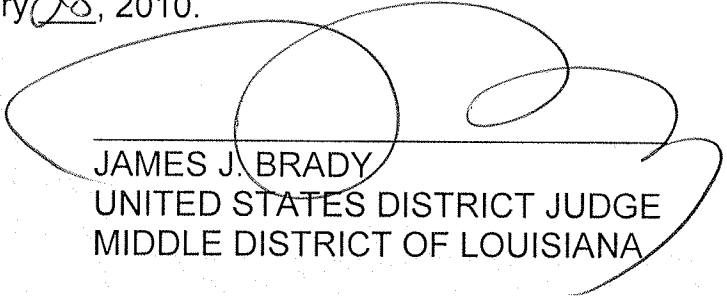
RULING

The court, having carefully considered the complaint, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Docia L. Dalby dated January 5, 2010, 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.

Accordingly, plaintiff's Motion for Summary Judgment (doc. 34) is hereby **DENIED**. Defendants' Motion for Summary Judgment (doc. 29) is hereby **GRANTED** in part, dismissing the plaintiff's claims against James LeBlanc, Warden N. Burl Cain, Trish Foster and Claire Griffin and in all other respects, the defendants' Motion for Summary Judgment is hereby **DENIED** and this matter is referred back to the magistrate judge for further proceedings on the plaintiff's Eight

Amendment failure to protect claim against Joshua Cain, Walter Newman, and Roderick Veal.

Baton Rouge, Louisiana, January 28th, 2010.



JAMES J. BRADY
UNITED STATES DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA