

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

TERRY KEYS (#77998)

CIVIL ACTION

VERSUS

NO. 08-747-FJP-DLD

WARDEN BURL N. CAIN, ET AL

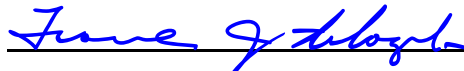
O P I N I O N

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 plaintiff's motion for summary judgment shall be denied, that the defendants' motion for summary judgment shall be granted dismissing the plaintiff's retaliation claims with prejudice, and the plaintiff's access to courts claims without prejudice for failure to exhaust available administrative remedies pursuant to 42 U.S.C. § 1997e(a), and with prejudice to refiling the claims in forma pauperis status¹ and this action shall be dismissed.²

Judgment shall be entered accordingly.

Baton Rouge, Louisiana, January 26, 2011.



FRANK J. POLOZOLA
MIDDLE DISTRICT OF LOUISIANA

¹ *Underwood v. Wilson*, 151 F.3d at 296

² Rec. Doc. Nos. 53 and 54.
Doc#47114