

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

KEITH STEWART (#98926)

VERSUS

MRS. SENG, ET AL.

CIVIL ACTION

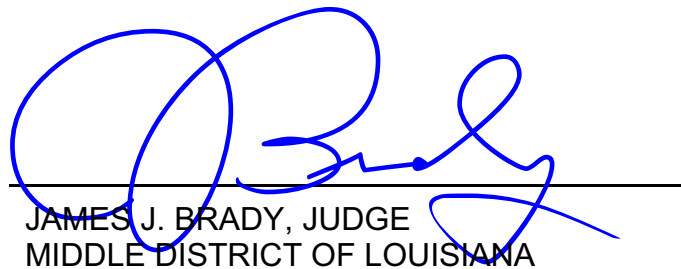
NO. 09-17-JJB-SCR

RULING

The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Stephen C. Riedlinger dated September 11, 2009 (doc. no. 49) to which no objection has been filed.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, the parties motions for summary judgment are DENIED. Further, the claims against Sgt. Charles Gaylor and the unidentified emergency medical technicians are DISMISSED for failure to prosecute pursuant to Rule 4(m), Fed.R.Civ.P.

Baton Rouge, Louisiana, November 10, 2009.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA