

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DIST COURT
MIDDLE DIST OF LA
2009 DEC 17 A 10:11

CARL ALVIN BALDWIN (#511224)

VERSUS

BURL CAIN, ET AL

CIVIL ACTION

BY DEPUTY CLERK

NO. 09-53-JJB-DLD

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 Docia L. Dalby dated November 9, 2009 (doc. no. 9). The plaintiff has filed an objection and has been duly considered.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, the plaintiff's complaint is DISMISSED without prejudice for failure to exhaust available administrative remedies pursuant to 42 U.S.C. § 1997e(a), and with prejudice to refiling them in forma pauperis status.

Baton Rouge, Louisiana, this 17th day of December, 2009.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA