

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DIST COURT
MIDDLE DIST. OF LA

2009 JUN -4 A 10: 21

BENJAMIN LEE (#114229)

VERSUS

SGT. JOHNNY WEST, ET AL

CIVIL ACTION
BY DEPUTY CLERK
NO. 09-65-RET-DLD

RULING

The court has carefully considered the motions, the record, the law applicable to this action, and the Report and Recommendation (doc. of United States Magistrate Judge Docia L. Dalby dated April 8, 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, defendants' motions to dismiss (doc. 9 and 11) are hereby denied.

Baton Rouge, Louisiana, June 3, 2009.



RALPH E. TYSON, CHIEF JUDGE
MIDDLE DISTRICT OF LOUISIANA