

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

BOBBY WEATHERTON

VERSUS

AMERICA'S MOST WANTED, ET AL

CIVIL ACTION

NO. 09-111-BAJ-DLD


**RULING**

The Court has carefully considered the petition, the record, the law applicable to the action, the United States Magistrate Judge's Report and Recommendation dated September 7, 2010 (doc. 57), and the objection of pro se plaintiff, Bobby Weatherton (doc. 6).

In his objection to the Report and Recommendation, plaintiff argues that the pleadings of a pro se plaintiff are held to less strict standards than those drafted by attorneys, and he asks the court for leave to amend his complaint to name the sheriff of Ascension Parish as a proper defendant in place of the Ascension Parish Sheriff's Office. Naming the sheriff as a defendant, however, would not cure the defects noted in the report and recommendation with regard to the federal claims plaintiff seeks to assert. For the reasons provided in the Report and Recommendation, the Court finds that plaintiff has failed to allege facts which state a federal claim against any defendant, named or unnamed, upon which relief can be granted. The Court,

therefore, approves the Report and Recommendation of the magistrate judge, and, in addition to the observations noted *supra*, adopts it as the Court's opinion herein. Accordingly, the Court shall dismiss plaintiffs federal claims for failure to state a claim upon which relief can be granted and shall decline to exercise supplemental jurisdiction over plaintiff's state law claims.

Baton Rouge, Louisiana, November 5, 2010.

A handwritten signature in black ink, appearing to read "Brian A. Jackson", written over a horizontal line.

BRIAN A. JACKSON  
UNITED STATES DISTRICT JUDGE  
MIDDLE DISTRICT OF LOUISIANA