

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

CARROLLTON PRESBYTERIAN  
CHURCH

VERSUS

THE PRESBYTERY OF SOUTH  
LOUISIANA OF THE PRESBYTERIAN  
CHURCH (USA)

FILED  
U.S. DIST COURT  
MIDDLE DIST. OF LA  
2009 JUN -4 A 10: 21

CIVIL ACTION  
BY DEPUTY CLERK

NO. 09-138-RET-SCR

**RULING**

The court has carefully considered the motion, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Stephen C. Riedlinger (doc. 12) dated March 27, 2009. Defendant has filed an objection which merely restate legal argument and does not require de novo findings under 28 U.S.C. 636.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein.

Accordingly, the motion to remand and request for attorneys fees and costs filed by plaintiff Carrollton Presbyterian Church is hereby granted in part and denied in part. The motion to remand is granted and this matter shall be remanded to the 19<sup>th</sup> Judicial District Court, Parish of East Baton Rouge, Louisiana. The motion is denied insofar as the plaintiff sought an award of costs and expenses incurred in connection with the motion.

Baton Rouge, Louisiana, June 3, 2009.

  
RALPH E. TYSON, CHIEF JUDGE  
MIDDLE DISTRICT OF LOUISIANA