

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DIST COURT
MIDDLE DIST OF LA

2009 OCT -6 P 3:48

EDDIE D. LEE (#102226)

VERSUS

LOUISIANA DEPARTMENT OF
CORRECTIONS, ET AL.

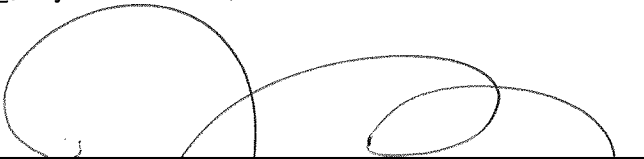
CIVIL ACTION _____
BY DEPUTY CLERK
NO. 09-327-JJB-SCR

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 August 21, 2009 (doc. no. 14). The plaintiff has filed an objection which failed to raise any valid reasons why the claims against the State of Louisiana, through the Department Public Safety and Corrections should not be dismissed.

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 Dismiss for Lack of Subject Matter Jurisdiction, for Failure to State a Claim Upon Which Relief Can be Granted filed on behalf of the State of Louisiana, Through the Department of Public Safety and Corrections is GRANTED and the claims against it are DISMISSED.

Baton Rouge, Louisiana, this 5th day of October, 2009.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA