

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

JOHN POUILLARD (#98999)

VERSUS

CIVIL ACTION NO.: 09-330-JVP-SCR

LAURITA WOODS, ET AL

**RULING ON MOTION FOR
PARTIAL SUMMARY JUDGMENT**

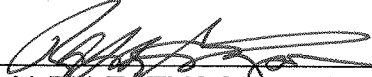
The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Stephen Riedlinger dated January 19, 2010 (doc. 74). Plaintiff has filed an objection and supplement thereto which merely restate legal argument and do not require *de novo* factual 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, defendants' Motion for Partial Summary Judgment for Failure to Exhaust Administrative Remedies is hereby **GRANTED** and this action shall be **DISMISSED** without prejudice for failure to exhaust available administrative remedies pursuant to 42 U.S.C. § 1997e(a), and with prejudice to refiling the claims *in forma pauperis* status.

Judgment shall be entered accordingly.

Baton Rouge, Louisiana, February 26, 2010.



RALPH E. TYSON, CHIEF JUDGE
MIDDLE DISTRICT OF LOUISIANA