

FILED
U.S. DIST. COURT
MIDDLE DIST. OF LA
AUG 12 2009

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

KELVIN WELLS, ET AL

VERSUS

U.S. DEPARTMENT OF
EDUCATION, ET AL.

CIVIL ACTION

NO. 09-456-JJB-CN

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 Christine Noland dated July 29, 2009 (doc. no. 4). The plaintiff filed an objection which merely restates his prior argument and has been duly considered.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, the above-captioned matter is DISMISSED WITHOUT PREJUDICE pursuant to 28 U.S.C. § 1915A for failure to state a claim upon which relief may be granted.

Baton Rouge, Louisiana, this 12th day of August, 2009.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA