

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DIST COURT
MIDDLE DIST OF LA
2009 AUG 31 P 2:35

KELVIN WELLS

VERSUS

CIVIL ACTION NO.: 09-468-JVP-CN

SIGN _____
BY DEPUTY CLERK

DOUG WELBORN
CLERK OF COURT, 19TH JDC

RULING

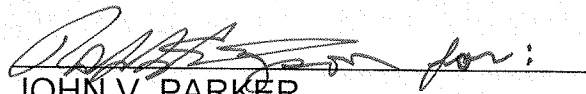
The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Christine Noland dated July 29, 2009 (doc. 4). Plaintiff has filed an objection which merely restates legal argument and does not require *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, this matter shall be **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. § 1915A for failure to state a claim upon which relief may be granted by this Court.

Judgment shall be entered accordingly.

Baton Rouge, Louisiana, August 31, 2009.


JOHN V. PARKER
UNITED STATES DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA