

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ERIC GRAVES (#290037)

VERSUS

BURL CAIN, ET AL.

CIVIL ACTION

NO. 09-705-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 April 16, 2010 (doc. no. 10) to which no objection has been filed.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, the defendants' Motion to Dismiss (doc. no. 8), is GRANTED IN PART, dismissing the plaintiff's claims asserted against the defendnats in their official capacities, dismissing the plaintiff's claim for compensatory damages, and dismissing the plaintiff's claim of deliberate medical indifference. Further, this matter is referred back for further proceedings in connection with the plaintiff's claim asserted against defendant Mark Briggs, in the defendants individual capacity, for the violation of the plaintiff's constitutional rights in connection with the alleged searches of the plaintiff on February 7, 2009.

Baton Rouge, Louisiana, this 26th day of May, 2010.



JAMES J. BRADY
UNITED STATES DISTRICT JUDGE