

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

TERRENCE KNIGHT BENOIT (#489486)

VERSUS

LOUISIANA STATE PENITENTIARY, ET AL.

CIVIL ACTION

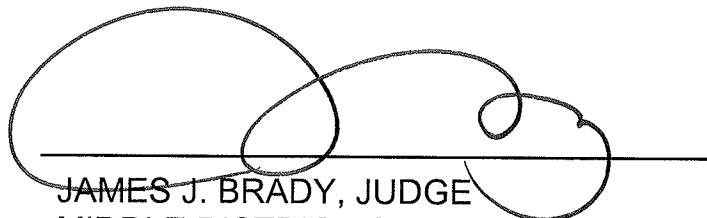
NO. 09-715-JJB-CN

**RULING**

The court has carefully considered the complaint, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Christine Noland dated December 6, 2010 (doc. no. 31). 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 Motion for Summary Judgment of defendant Steven Bernard (doc. no. 20) is GRANTED, DISMISSING the plaintiff's claims asserted against this defendant, without prejudice, for failure of the plaintiff to exhaust available administrative remedies pursuant to 42 U.S.C. § 1997e(a), and this action is DISMISSED.

Baton Rouge, Louisiana, this 14th day of January, 2011.

  
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JAMES J. BRADY, JUDGE  
MIDDLE DISTRICT OF LOUISIANA