

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

CARLOS A. MCGREW (#413135)

CIVIL ACTION

VERSUS

NO. 09-859-RET

DR. JONATHAN ROUNDTREE, ET AL

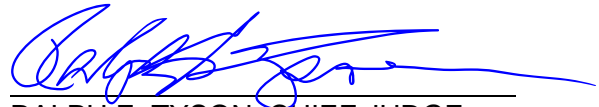
RULING

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 March 9, 2011. Objections and responses thereto have been filed, which the court has considered.

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 for Partial Summary Judgment, rec.doc.no. 80, is granted in part, dismissing the plaintiff's claim of deliberate medical indifference asserted against defendants Jonathan Roundtree, Aurielle Boeker, Mike Thomas and Anthony McCoy, and this matter is referred back to the United States Magistrate Judge for further proceedings in connection with the plaintiff's claim of excessive force asserted against defendants Huey Pidgeon, Marks Allen, Joseph Russell and Greg Eirick.

Baton Rouge, Louisiana, May 9th, 2011.



RALPH E. TYSON, CHIEF JUDGE
MIDDLE DISTRICT OF LOUISIANA