

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

CAREY LOUIS HOOD (#299810)

VERSUS

CIVIL ACTION NO.: 09-950-JVP-CN

SAMANTHA ANGELLE, CAPTAIN,
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 April 21, 2010 (doc. 37). Defendant 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, the defendants' Motion to Dismiss (doc. 10), is hereby **DENIED**. Further, defendants' Supplemental Motion to Dismiss (doc. 27), is hereby **GRANTED**, dismissing the plaintiff's claims for monetary damages asserted against the defendants in their official capacities, dismissing the plaintiff's claims for injunctive and declaratory relief, and dismissing the plaintiff's claims asserted against defendants Burl Cain and James LeBlanc in their entirety.

IT IS ORDERED that this matter is hereby referred back to the magistrate judge for further proceedings in connection with the plaintiff's claims asserted against defendant, Samantha Angelle, in her individual capacity.

Baton Rouge, Louisiana, June 23, 2010.



RALPH E. TYSON, CHIEF JUDGE
MIDDLE DISTRICT OF LOUISIANA