

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA
2009 JAN -8 A 10:07

GARY NOWLIN (#262275)

VERSUS

JAMES LEBLANC

CIVIL ACTION

NO. 09-966-JJB-SCR

RULING

The court has carefully considered defendant's motion to vacate, the government's opposition thereto, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Stephen C. Riedlinger, dated November 30, 2009 (doc. no. 5). The petitioner has filed an objection to the Report which essentially makes the same arguments.

The court hereby approves the Report and Recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, the plaintiff's complaint is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

Baton Rouge, Louisiana, this 7th day of January, 2010.



JAMES J. BRADY
UNITED STATES DISTRICT JUDGE