

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

BRANDON LIZOTTE (#432994)

VERSUS

JAMES LEBLANC, ET AL

CIVIL ACTION

NO. 09-977-BAJ-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 December 6, 2010. Plaintiff has filed an objection 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 Court declines to exercise supplemental jurisdiction over the plaintiff's state law claims and the plaintiff's Motion for Summary Judgment (doc 28) is **DENIED**.

IT IS FURTHER ORDERED that the defendants' Motions for Summary Judgment (docs. 47 and 84) are **GRANTED**, and plaintiff's unexhausted claims, shall

be **DISMISSED** without prejudice, pursuant to 42 U.S.C. § 1997e, and the remaining claims shall be **DISMISSED** as being without constitutional merit.

Baton Rouge, Louisiana, January 11, 2011.

A handwritten signature in black ink, appearing to read "Brian A. Jackson". The signature is written in a cursive style with a horizontal line extending from the end of the name.

BRIAN A. JACKSON
UNITED STATES DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA