

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

RUFUS HENRY (#74334)

CIVIL ACTION

VERSUS

NO. 09-980-C

STATE OF LOUISIANA

RULING

The court, after carefully considering the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Stephen C. Riedlinger dated December 11, 2009, to which no objection has been filed, hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein.

Accordingly, the plaintiff's complaint will be dismissed pursuant to 28 U.S.C. §1915(e)(2)(B)(i) and (iii).

Baton Rouge, Louisiana, February 10, 2010.


RALPH E. TYSON, CHIEF JUDGE
MIDDLE DISTRICT OF LOUISIANA