

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

CARLOS A. McGREW

VERSUS

CIVIL ACTION NO.: 09-1019-JVP-SCR

NATHAN BURL CAIN, ET AL

**RULING**

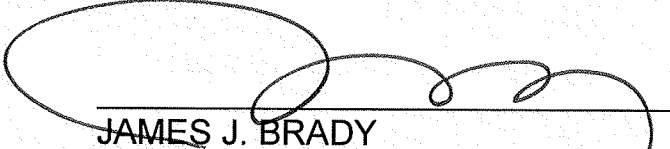
The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Stephen R. Riedlinger dated April 26, 2010 (doc. 9). Plaintiff has filed an objection which merely restates legal argument and does not require *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, plaintiff's complaint shall be **DISMISSED WITHOUT PREJUDICE** for failure to exhaust available administrative remedies pursuant to 42 U.S.C. § 1997e(a), and with prejudice to refiling them *in forma pauperis* status.

Judgment shall be entered accordingly.

Baton Rouge, Louisiana, June 23, 2010.

  
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JAMES J. BRADY  
UNITED STATES DISTRICT JUDGE  
MIDDLE DISTRICT OF LOUISIANA