

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

JOHN SCHLABACH

VERSUS

CIVIL ACTION

UNITED STATES, ET AL

NO. 10-101-C


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 May 27, 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 Motion to Dismiss (R.Doc.17) filed by respondent, the United States of America, shall be granted, and this matter will be dismissed with prejudice. The request for cost made by petitioner, John Schlabach, will be denied.

Baton Rouge, Louisiana, July 6, 2010.


RALPHE. TYSON, CHIEF JUDGE
MIDDLE DISTRICT OF LOUISIANA