

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

KELVIN WELLS

CIVIL ACTION

VERSUS

NUMBER 10-00111-FJP-DLD

STATE OF LOUISIANA, ET AL

O P I N I O N

After independently reviewing the entire record in this case and for reasons set forth in the Magistrate Judge's Report to which an objection was filed:

IT IS ORDERED that this lawsuit shall be DISMISSED pursuant to 28 U.S.C. § 1915(e), as follows:

1. Plaintiff's claims against Department of Social Services, State Licensing of daycares, Child Protection, Support Enforcement Services, Department of Transportation and Development, Office of Risk Management and against Secretary of DSS, Marion Willett, and William Ankner, in their official capacities, shall be DISMISSED pursuant to 28 U.S.C. §1915(e)(2)(B)(iii).

2. Plaintiff's specific claims that Department of Social Services, Secretary of Social Services, state licensing of daycares, child protection, and support enforcement services failed to investigate his complaints against his son's daycare and failed to revoke the daycare's license and took \$7,000 from a judicial settlement in payment of child support while knowing that plaintiff was disabled are malicious and shall be DISMISSED pursuant to 28 U.S.C. §1915(e)(2)(B)(i).

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3. Plaintiff's claims against Secretary of DSS, Marion Willett, and William Ankner, in their individual capacities, are frivolous and shall be DISMISSED, pursuant to 28 U.S.C. §1915(e)(2)(B)(i).

Judgment shall be entered accordingly.

Baton Rouge, Louisiana, June 18, 2010.



FRANK J. POLOZOLA
MIDDLE DISTRICT OF LOUISIANA