

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

RODNEY B. JONES (#305669)

CIVIL ACTION

VERSUS

NUMBER 10-112-JVP-SCR


JAMES D. CALDWELL, JR., ET AL

RULING

The court has carefully considered the motions, the record, the law applicable to this action, and the Report and Recommendation (doc. 14) of United States Magistrate Docia L. Dalby dated October 5, 2010, 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, defendant's Motion to Dismiss (doc. 17) is hereby granted and this action shall be dismissed for failure to state a claim upon which relief can be granted pursuant to 28 U.S.C. §1915(e)(2)(B)(ii) and without prejudice to any state law claim.

Baton Rouge, Louisiana, December 8, 2010.



RALPH E. TYSON, CHIEF JUDGE
MIDDLE DISTRICT OF LOUISIANA