

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ERIC SMITH

VERSUS

CIVIL ACTION NO.: 10-301-JVP-CN

ROBERT FRANKLIN, ET AL

RULING

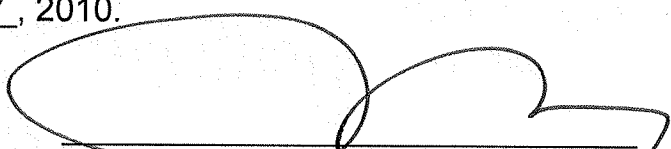
The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Christine Noland dated May 12, 2010 (doc. 5). Plaintiff has filed an objection which merely restates legal argument and does not require *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 action shall be **DISMISSED** as legally frivolous within the meaning of 28 U.S.C. § 1915(e).

Judgment shall be entered accordingly.

Baton Rouge, Louisiana, June 23rd, 2010.



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