

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

STANLEY VEAL (#110380)

VERSUS

M. SGT. COLIN FORTENBERRY, ET AL

CIVIL ACTION

NO. 10-317-RET

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 C. Riedlinger dated August 26, 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 plaintiff's unfair disciplinary report claim against defendant M. Sgt. Colin Fortenberry, and the claims against defendants Sgt. Joyce Wyaitti and Sgt. Stacy Turner, will be dismissed as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i), and the plaintiff's other claims will be dismissed for failure to exhaust administrative remedies pursuant to 42 U.S.C. § 1997e(a).

Baton Rouge, Louisiana, September 28, 2010.



RALPH E. TYSON, CHIEF JUDGE
MIDDLE DISTRICT OF LOUISIANA