

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ERRICK JERMAINE ARCENEUX (#376350)

VERSUS

STEVE RADER, ET AL.

CIVIL ACTION

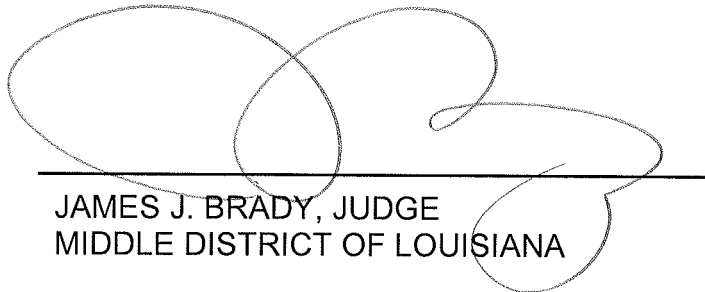
NO. 10-518-JJB-SCR

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 November 3, 2010 (doc. no. 15). The plaintiff filed an objection which is lacking in merit.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, the defendants' Motion to Dismiss is GRANTED. Further, the plaintiff is granted 14 days from the ruling on the defendant's motion to file an amended complaint to specifically identify an occasion when the applicaiton of the policy resulted in physical harm to him, identify the correctional officers involved in the application of the policy on that occasion, and allege facts "tailored to an answer pleading the defense of qualified immunity."

Baton Rouge, Louisiana, this 8th day of December, 2010.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA