

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

TED DURBIN (#132464)

VERSUS

BURL CAIN, WARDEN, ET AL.

CIVIL ACTION

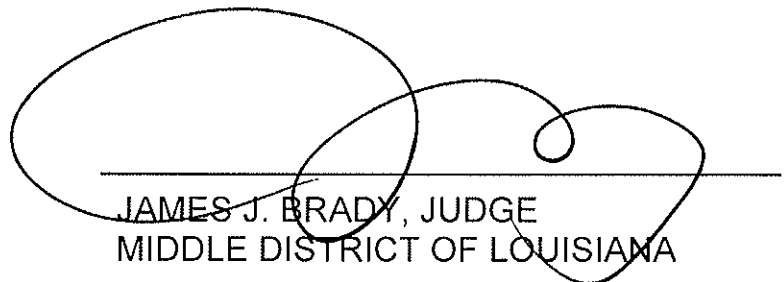
NO. 10-655-JJB-RLB

**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 Richard L. Bourgeois, Jr. dated August 21, 2013 (doc. no. 67). The plaintiff has filed an objection which merely restates his prior arguments and has been duly considered.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, the defendant's Motion to Dismiss (doc. no. 57) is GRANTED, the plaintiff's Motion for Leave to Amend Original Complaint (doc. no. 66) is DENIED and this action is DISMISSED, with prejudice.

Baton Rouge, Louisiana, this 11<sup>th</sup> day of September, 2013.

  
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JAMES J. BRADY, JUDGE  
MIDDLE DISTRICT OF LOUISIANA