

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

DERRICK JEROME ALLEN (#295151)

VERSUS

KIP HOLDEN, ET AL.

CIVIL ACTION

10-cv-753

NO. ~~10-103-UB-010~~

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 Docia L. Dalby dated August 15, 2012 (doc. no. 119) to which no objection has been filed.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, the court declines to exercise supplemental jurisdiction over the plaintiff's state law claims and the Motions to Dismiss of defendants Elmer Litchfield, Willie R. Douglas, Mike Herpich, Melissa Herpich and Rudy Hyde (doc. no. 105 and 112) is GRANTED, dismissing the plaintiff's claims asserted against these defendants, with prejudice. Further, the plaintiff's claims asserted against defendants Greg Phares, Rock Perkins and Sgt. Marrento are DISMISSED, with prejudice, for failure of the plaintiff to state a claim upon which relief may be granted as to these defendants pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A, and this action is DISMISSED.

Baton Rouge, Louisiana, this 6th day of September, 2012.



JAMES J. BRADY
UNITED STATES DISTRICT JUDGE