

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

SYLVESTER TRACKLING (#117085)

VERSUS

LT. GREGORY ALLEN

CIVIL ACTION

NO. 10-756-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 Christine Noland dated November 23, 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 action will be dismissed as legally frivolous within the meaning of 28 U.S.C. § 1915(e), reserving to the plaintiff any claim which he may have against the defendant arising under state law.

Baton Rouge, Louisiana, January // , 2011.



RALPH E. TYSON, CHIEF JUDGE
MIDDLE DISTRICT OF LOUISIANA