

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

DONALD HENSLEY, JR. (#112218)

CIVIL ACTION

VERSUS

NO. 11-94-JJB-DLD

BURL CAIN, ET AL.

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 Docia L. Dalby dated October 5, 2011 (doc. no. 34). The plaintiff filed an objection which merely restates his prior argument 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 motion to dismiss filed on behalf of Burl Cain is GRANTED and the claims against him are DISMISSED and this matter is referred back to the magistrate judge for further proceedings on the plaintiff's medical indifference claim.

Baton Rouge, Louisiana, this 15th day of November, 2011.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA