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UNITED STATES DISTRICT COURT  
 MIDDLE DISTRICT OF LOUISIANA

SCOTT WILFONG, ET AL

CIVIL ACTION NO.: 11-128

VERSUS

JUDGE HAIK

STATE OF LOUISIANA,  
 BOARD OF ETHICS, ET AL.

MAGISTRATE JUDGE HANNA

ORDER


Defendants' Motion to Dismiss Pursuant to FRCP Rule 12(b)(6) [Doc. 5] was referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation, which was issued on March 5, 2012 [Doc. 23]. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own. The Motion is hereby **GRANTED** as to the federal claims asserted and the Court declines to retain jurisdiction over the remaining state law claims, remanding those claims back to the state court.

Accordingly, **IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that the official capacity claims be **DISMISSED WITH PREJUDICE**.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that all federal claims against the Board members and Ms. Gremillion, in their individual capacities, be **DIMISSED WITH PREJUDICE**.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that, since there are no remaining claims over which the Court would have original jurisdiction, the case be **REMANDED** to the Nineteenth Judicial District Court for the Parish of East Baton Rouge.

**THUS DONE AND SIGNED** at Lafayette, Louisiana on this 4<sup>th</sup> day of April, 2012.

  
**HONORABLE RICHARD T. HAIK, SR.**  
**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF LOUISIANA**