

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

LEROY FIELDS (#115883)

CIVIL ACTION

VERSUS

NO. 11-244-BAJ-DLD

N. BURL CAIN, WARDEN, ET AL

RULING AND ORDER

The Court, having carefully considered the complaint, the record, the law applicable to this action, and the Report and Recommendation of the United States Magistrate Judge dated November 9, 2011 (doc. 23), to which no objection has been filed, hereby approves the report and recommendation of the Magistrate Judge and adopts it as the Court's opinion herein.

Accordingly, plaintiff's claims asserted against defendant Dennis Hall are hereby dismissed for failure of the plaintiff to serve this defendant within 120 days as mandated by Rule 4(m) of the Federal Rules of Civil Procedure, and the motion to dismiss filed by defendants (doc. 14) is granted in part and denied in part, dismissing the plaintiff's claims asserted against defendants, Burl Cain, Chad Menzina, Chad Butler, Johnny Tubbs and Ray Jones, with prejudice, and this matter is referred back to the Magistrate Judge for further proceedings in connection with plaintiff's claim against defendant James Douzart for failure to protect him from harm at the hands of a co-inmate on July 27, 2010.

Baton Rouge, Louisiana, November 30, 2011.



BRIAN A. JACKSON, CHIEF JUDGE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

