

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.

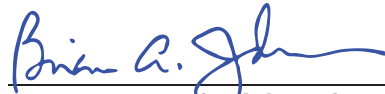
**RULING
and ORDER OF DISMISSAL**

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 November 8, 2012 (doc. 76), and plaintiff's opposition filed November 27, 2012 (doc. 77).

The Court hereby approves the report and recommendation of the magistrate judge and adopts it as the Court's opinion herein.

Accordingly, **IT IS ORDERED** that this action is dismissed, without prejudice for failure of plaintiff to exhaust administrative remedies relative to his claims as mandated by 42 U.S.C. § 1997e, but with prejudice to re-assertion of the same claim or claims in forma pauperis.

Baton Rouge, Louisiana, November 29, 2012.



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