

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ERIC TOLSTON (3145)

VERSUS

JOHN THOMPSON, ET AL

CIVIL ACTION

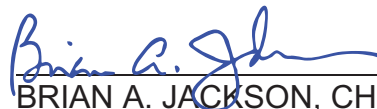
NO. 11-252-BAJ-DLD

**RULING AND
ORDER OF DISMISSAL**

The Court, having 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 September 8, 2011, 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, IT IS ORDERED that plaintiff's action is dismissed, with prejudice as legally frivolous with the meaning of 28 U.S.C. § 1915, until the conditions set forth in Heck v. Humphrey, supra are satisfied.

Baton Rouge, Louisiana, September 30, 2011.



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