

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

EAST BATON ROUGE PARISH
SCHOOL BOARD

VERSUS

KELVIN WELLS

CIVIL ACTION

NO. 11-333-JJB-DLD

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 June 30, 2011 (doc. no. 7) The defendant filed an objection which is not persuasive. The court agrees with the analysis set forth by the Magistrate Judge.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, the East Baton Rouge School Board's Motion for Remand (doc. no. 2) is GRANTED IN PART AND DENIED, in that the Motion for Remand is GRANTED and this matter is REMANDED to the 19th Judicial District Court, Parish of East Baton Rouge, State of Louisiana, and the request for attorney's fees and costs are DENIED.

Baton Rouge, Louisiana, August 5, 2011.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA