

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

LEONARD C. RHODES (128585)

CIVIL ACTION

VERSUS

NO. 11-370-BAJ-SCR

LT. F. JACKSON, ET AL

RULING

The Court, having carefully considered the motions for partial summary judgment, the motion to dismiss, the record, the law applicable to this action, the Report and Recommendation of United States Magistrate Judge Stephen C. Riedlinger dated February 29, 2012 (doc. 56), and plaintiff's objection thereto (doc. 57), hereby approves the report and recommendation of the magistrate judge and adopts it as the Court's opinion herein.

Accordingly, the motion for partial summary judgment filed by defendants Howard Prince, Frederick Boutte, Freddie Jackson, James Dulaney, and Clay Williams (doc. 13), the motion for partial summary judgment filed by defendant Dr. Matthew Gamble (doc. 31) and the motion to dismiss filed by Lt. Jason Russ (doc. 55) are **GRANTED**.

Judgment shall issue separately.

Baton Rouge, Louisiana, March 28, 2012.



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

IT IS FURTHER ORDERED that plaintiff's claims that the defendants conspired to have him transferred from the HSU, the defendants had other inmates assault him in retaliation for filing administrative grievances, that he was sprayed with a chemical agent, that he was issued false disciplinary reports, and that he was assaulted by a known enemy who was placed on his housing unit, are **DISMISSED** without prejudice for failure of the plaintiff to exhaust administrative remedies pursuant to 42 U.S.C. § 1997e(a), and with prejudice to his refiling them in forma pauperis.

IT IS FURTHER ORDERED that this action be, and is, hereby dismissed, accordingly.

Baton Rouge, Louisiana, March 28, 2012.

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