

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

KENNETH SPRADLEY (#101526)

VERSUS

WARDEN J. TIRCUIT, ET AL.

CIVIL ACTION

NO. 11-378-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 August 30, 2011 (doc. no. 13). The plaintiff filed an objection which merely restates his prior argument and has been duly considered.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, the defendants' motion to dismiss is GRANTED in part, DISMISSING the plaintiff's claims against Maj. Carl Thomas and Lt. Donald Johnson. Further, defendant Sgt. Craig White's motion to dismiss is DENIED and this matter is referred back to the magistrate judge for further proceedings on the plaintiff's failure to protect claim against Sgt. Craig White.

Baton Rouge, Louisiana, October 5, 2011.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA