

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ALVIN CLARK (#178752)

CIVIL ACTION

VERSUS

NO. 11-385-BAJ-SCR

KEVIN BENJAMIN, ET AL

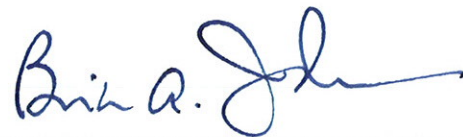
RULING

The Court has carefully considered the motion, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Stephen C. Riedlinger dated August 31, 2011 (doc. 25) and the Supplemental Report and Recommendation of United States Magistrate Judge Stephen C. Riedlinger dated September 28, 2011 (doc. 28) . Plaintiff has filed an objection (doc. 30) which the Court has considered.

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

Accordingly, the motion to dismiss filed by defendants Kevin Benjamin, Phillip Causey, Jimmy Smith, and Kenneth Wilson is granted and this action is hereby dismissed. The claims against defendants Charles Daniels and Robert Skipper are dismissed as frivolous pursuant to 28 U.S.C. § 1915 (e) (2) (B) (I) and without prejudice to any state law against them.

Baton Rouge, Louisiana, October 31, 2011.



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