

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

CHARLES STEWART (#111347)

VERSUS

BURL CAIN, ET AL.

CIVIL ACTION

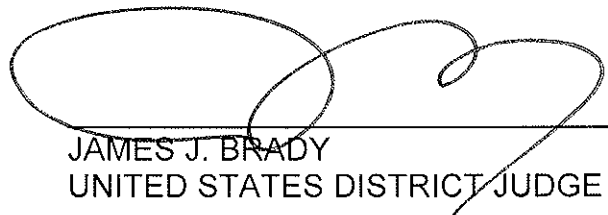
NO. 11-403-JJB-SCR

**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 Stephen C. Riedlinger dated January 25, 2013 (doc. no. 46). The plaintiff filed an objection which essentially restates his prior argument and has been duly addressed 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 defendants' Motion for Summary Judgment is GRANTED IN PART, dismissing the plaintiff's excessive use of force claims against Capt. Darren Cashio, Lt. Kevin Griffin, Capt. Joseph Barr, Capt. Juan Conrad, and Lt. Col. Warren Foster. In all other respects the defendants' motion for summary judgment should be denied and this matter is referred back to the magistrate judgment for further proceedings on the plaintiff's deliberate indifference claim against Sgt. Raymond Laurent.

Baton Rouge, Louisiana, this 20<sup>th</sup> day of February, 2013.

  
JAMES J. BRADY  
UNITED STATES DISTRICT JUDGE