

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ANTHONY PAUL HARVEY (#112940)

VERSUS

CHAD MENZINA, ET AL

CIVIL ACTION

NO. 11-418-BAJ-SCR

**RULING AND
ORDER OF DISMISSAL**

The Court, having carefully considered the petition, the record, the law applicable to this action, the Report and Recommendation of United States Magistrate Judge Stephen C. Riedlinger dated January 10, 2012 (doc. 15), and plaintiff's objection thereto (doc. 16), hereby approves the Report and Recommendation of the Magistrate Judge and adopts it as the Court's opinion herein.

Accordingly, **IT IS ORDERED** that plaintiff's complaint be, and is hereby, dismissed without prejudice for failure to exhaust available administrative remedies pursuant to 42 U.S.C. § 1997e(a), and with prejudice to refiling the complaint in forma pauperis.

Baton Rouge, Louisiana, February 28, 2012.



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