

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

THEODORE SMITH (#313084)

VERSUS

LUKE RHEAMS, ET AL.

CIVIL ACTION

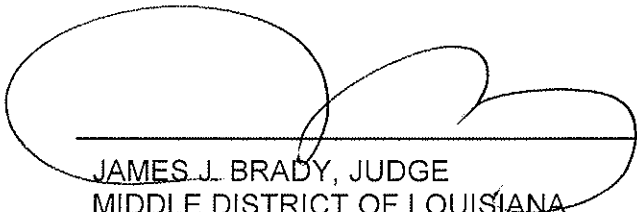
NO. 11-482-JJB-SCR

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 Judge Stephen C. Riedlinger dated May 14, 2012 (doc. no. 23) to which no objection has been filed.

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 on behalf of defendants Capt. Lucas Rheams, Lt. Col. Eli Wilson, Maj. Trampus Butler, Maj. Stewart Hawkins, Maj. Kendal Varner, Kevin Benjamin and Herbert Duncan is GRANTED in part, DISMISSING all of the plaintiff's claims against them, except for the claims against Capt. Rheams and Maj. Butler for issuing the plaintiff false disciplinary reports in retaliation for filing an ARP and providing a statement to investigators about Capt. Rheams' alleged wrongdoing. Further, the plaintiff's claims against Capt. Rheams and Maj. Butler for compensatory damages is DISMISSED pursuant to 42 U.S.C. § 1997e(e). Further, the Motion to Dismiss on behalf of Reginald Ladmirault is GRANTED and the claims against him are DISMISSED. Further, the court declines to exercise supplemental jurisdiction over any state law claim.

Baton Rouge, Louisiana, this 7th day of June, 2012.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA