

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ROY M. MCLAUGHLIN, JR. (#399370)

CIVIL ACTION

VERSUS

NO. 11-526-BAJ-DLD

DARYL VANNOY, ASS'T WARDEN, ET AL

RULING

The Court has carefully considered the motions, the record, the law applicable to this action, and the Report and Recommendation of the United States Magistrate Judge Docia L. Dalby dated July 11, 2012 (doc. 42) to which no opposition 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 plaintiff's claims asserted against Joshua Mabus are dismissed, without prejudice, for failure of the plaintiff to serve this defendant within 120 days as mandated by Rule 4(m) of the Federal Rules of Civil Procedure. The Motions for Summary Judgment of defendants Daryl Vannoy, Chad Menzina, Greg Foster and Kenneth Harris (docs. 18 and 33) are granted, dismissing the plaintiff's claims asserted against these defendants, with prejudice.

This action shall be dismissed accordingly.

Baton Rouge, Louisiana, August 22, 2012.



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