

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

GLENN WELCH (#323336)

CIVIL ACTION

VERSUS

NO. 12-38-JJB-DLD


N. BURL CAIN, WARDEN

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 Docia L. Dalby dated October 30, 2012 (doc. no. 29) 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 filed by the State of Louisiana (doc. no. 18) is DENIED AS MOOT and this matter is referred back to the Magistrate Judge for further proceedings.

Baton Rouge, Louisiana, November 26, 2012.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA