

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

SOLOMON GROGEN (DOC #126336)

VERSUS

DENNIS GRIMES, ET AL

CIVIL ACTION

NUMBER 12-242-BAJ-SCR

RULING

The Court has carefully considered the motion, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Stephen C. Riedlinger dated September 4, 2012 (doc. 17), and plaintiff's opposition filed September 29, 2012 (doc. 18).

The Court hereby approves the report and recommendation of the magistrate judge and adopts it as the Court's opinion herein.

Accordingly, **IT IS ORDERED** that defendant Warden Dennis Grimes' Motion to Dismiss is granted and the claims against him are dismissed.

IT IS FURTHER ORDERED that the claims against Sheriff Sid J. Gautreaux, III, Dr. Bridges, Linda Ottesen and nurse Bradley are dismissed pursuant to 28 U.S.C. §1915(e)(2)(B)(i), and without leave to amend because there is no conceivable, nonfrivolous federal claim he could assert consistent with the facts alleged in his complaint.

This matter is referred back to the United States Magistrate Judge for further proceedings on the plaintiff's excessive use of force claim against deputy Rideau.

Baton Rouge, Louisiana, October 30, 2012.



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