

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ISAAC FOSTER

VERSUS

EAST BATON ROUGE PARISH PRISON

CIVIL ACTION

NO. 12-282-JJB-SCR

RULING

The court has carefully considered the petition, the record, the law applicable to this action of United States Magistrate Judge Stephen C. Riedlinger dated September 10, 2012 (doc. no. 7) 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 plaintiff's Complaint is DISMISSED as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i), and without leave to amend because there is no conceivable, non-frivolous claim the plaintiff could allege consistent with the allegations in his complaint and the information he provided at the *Spears* hearing.

Baton Rouge, Louisiana, October 17th, 2012.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA