

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

BOBBY WEATHERTON (#197387)

CIVIL ACTION

VERSUS

NO. 12-0298-BAJ-DLD

SUSAN K. JONES, ET AL.

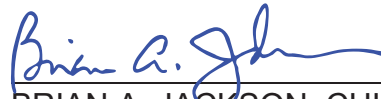
**RULING
and ORDER OF DISMISSAL**

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 31 2012 (doc. 4), and plaintiff's objection filed November 19, 2012 (doc. 5).

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 the petition filed by Bobby Weatherton is dismissed as legally frivolous and for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915e, without prejudice to the plaintiff's right to seek habeas corpus relief under 28 U.S.C. § 2254 or other relief upon satisfaction of the conditions set forth in Heck v. Humphrey, supra.

Baton Rouge, Louisiana, November 30, 2012.



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