

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

DERRICK SCOTT (#126372)

CIVIL ACTION

VERSUS

NO. 12-346-JJB-DLD

TERRY PORET, ET AL.

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 September 26, 2012 (doc. no. 14). The plaintiff has filed an objection which merely restates his prior argument and has been duly considered.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, this action is DISMISSED, without prejudice, as a result of the plaintiff's failure to exhaust administrative remedies as mandated by 42 U.S.C. § 1997e, but with prejudice to his refiling the same claim or claims in forma pauperis.

Baton Rouge, Louisiana, this 17th day of October, 2012.



JAMES J. BRADY, U.S. DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA