UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF LOUISIANA

RONALD WASHINGTON (#106426) **CIVIL ACTION**

VERSUS

N. BURL CAIN, ET AL. **NO.: 3:12-cv-00505-BAJ-RLB**

RULING AND ORDER

The Court has carefully considered Plaintiff's COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983 (Doc. 1), the REPORT AND RECOMMENDATION of United States Magistrate Judge Richard L. Bourgeois dated March 14, 2013 (Doc. 9), and Plaintiff's OBJECTION TO THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION (Doc. 10).

The Court APPROVES the Magistrate Judge's Report and Recommendation, and ADOPTS it as the Court's opinion. For the reasons explained in the Magistrate Judge's Report, Plaintiff has failed to state a claim that is not frivolous.[1]

[1] Plaintiff strenuously objects to the Magistrate Judge's Report, reasserting his claims to a First Amendment violation based on an alleged retaliatory disciplinary action (Doc. 10 at p. 5), and a Fourteenth Amendment due process violation based on prison officials' refusal to allow witnesses at his administrative hearing on that disciplinary action (*id.* at p. 1). Although Plaintiff's Objection offers additional argument to that which he included in his original Complaint, his claims still fail for the reasons explained by the Magistrate Judge. (*See* Doc. 9 at pp. 5–6 (explaining why Plaintiff's due process claim fails); *id.* at pp. 6–8 (explaining why Plaintiff's retaliation claim fails)).

Accordingly, IT IS ORDERED that Plaintiff's complaint is DISMISSED WITH PREJUDICE pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

Baton Rouge, Louisiana, this 10th day of October, 2013.

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