

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

DESMOND KIRBY (#468364)

VERSUS

STEVE RADER, ET AL.

CIVIL ACTION


NO. 12-608-JJB-SCR

**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 Stephen C. Riedlinger dated December 6, 2012 (doc. no. 7). The plaintiff filed an objection which essentially makes the same arguments and has been duly considered by the court.

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 claims are DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

Baton Rouge, Louisiana, this 20<sup>th</sup> day of February, 2013.

  
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JAMES J. BRADY, JUDGE  
MIDDLE DISTRICT OF LOUISIANA