

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

OLIVIA MASON (#397923)

VERSUS

JIM ROGERS, WARDEN, ET AL.

CIVIL ACTION

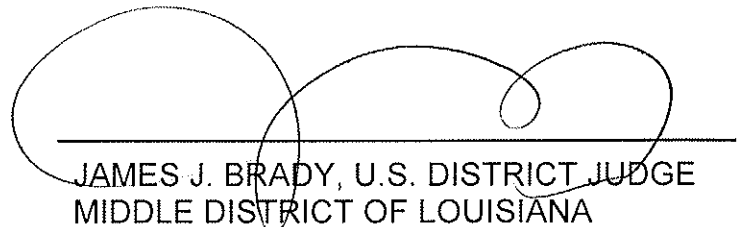
NO. 12-613-JJB-RLB

**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 Richard L. Bourgeois, Jr., dated October 17, 2013 (doc. no. 19). 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 asserted against "Care Provider Moore" are DISMISSED, without prejudice, for failure of the plaintiff to serve this defendant within 120 days as mandated by Fed.R.Civ.P. 4(m). Further, the court declines to exercise supplemental jurisdiction over the plaintiff's state law claims and the Motion to Dismiss of defendant Jim Rogers (doc. no. 15) is GRANTED, dismissing the plaintiff's claims asserted against this defendant, with prejudice, for failure to state a claim upon which relief may be granted.

Baton Rouge, Louisiana, this 5<sup>th</sup> day of November, 2013.

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