

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

PHILLIPS JELKS (#485250)

VERSUS

CIVIL ACTION

LA. D.O.C. WD. BURL CAIN, ET AL

NUMBER 13-90-BAJ-SCR

RULING ON MOTION TO AMEND COMPLAINT
and
ORDER FOR SERVICE

Before the court is the plaintiff's Motion for Leave to File and Amend Complaint. Record document number 20.

Pro se plaintiff, an inmate confined at Louisiana State Penitentiary, Angola, Louisiana, filed this action pursuant to 42 U.S.C. § 1983 against Louisiana Department of Public Safety and Corrections Secretary James LeBlanc, Warden N. Burl Cain, Maj. Will¹, Capt. Smith, Capt. Webb, Lt. Derecaux and Capt. Ganard.

On May 21, 2013, summons was returned unexecuted on defendants Maj. Will, Capt. Smith, Capt. Webb, Lt. Derecaux and Capt. Ganard.²

Plaintiff sought to amend the complaint to substitute Maj. Leonard Williams, Capt. Carl Smith, Capt. Grady Ganard, Capt. Lonzo Webb and Lt. Kenneth Derecaux for the defendants previously identified as Maj. Will, Capt. Smith, Capt. Ganard, Capt. Webb and

¹ Referred to as Maj. Williams in the body of the complaint.

² Record document number 17.

Lt. Derecaux.

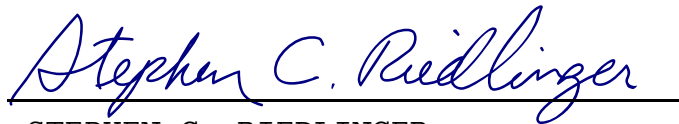
Accordingly, the plaintiff's Motion for Leave to File and Amend Complaint is granted. Maj. Leonard Williams, Capt. Carl Smith, Capt. Grady Ganard, Capt. Lonzo Webb and Lt. Kenneth Derecaux are substituted for the defendants previously identified as Maj. Will, Capt. Smith, Capt. Ganard, Capt. Webb and Lt. Derecaux.

Therefore;

IT IS ORDERED that the defendants Maj. Leonard Williams, Capt. Carl Smith, Capt. Grady Ganard, Capt. Lonzo Webb and Lt. Kenneth Derecaux shall be served with a summons, the original Complaint (record document number 1), the Amended Complaint (record document number 9), and this Motion for Leave to File and Amend Complaint in accordance with law.

IT IS FURTHER ORDERED that the U.S. Marshal serve the defendants wherever found.

Baton Rouge, Louisiana, June 3, 2013.

A handwritten signature in blue ink that reads "Stephen C. Riedlinger". The signature is written in a cursive style and is positioned above a horizontal line.

STEPHEN C. RIEDLINGER
UNITED STATES MAGISTRATE JUDGE