

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

RONALD WILLIAMS (#403681)

CIVIL ACTION

VERSUS

JOHN SANDERS, ET AL.

NO.: 13-00097-BAJ-SCR

RULING AND ORDER

On November 12, 2013, the United States Magistrate Judge issued a Report and Recommendation, pursuant to 28 U.S.C. § 636(b)(1), recommending that Plaintiff Ronald Williams's motion for summary judgment be denied; that Defendant Sgt. Mason Hunter's motion for summary judgment be granted in part, dismissing any claim brought against the Defendant in his official capacity, and denied in all other respects; that Plaintiff's claim that the Defendant interfered with his legal mail be dismissed as frivolous, and the matter be referred back to the magistrate judge for further proceedings on Plaintiff's excessive force claim; and that Plaintiff's claims against Defendant John Sanders be dismissed pursuant to Federal Rule of Civil Procedure Rule ("Rule") 4(m) for failure to timely served the Defendant. (Doc. 20.)

The Magistrate Judge's Report and Recommendation specifically notified the parties that, pursuant to 28 U.S.C. § 636(b)(1), they had fourteen (14) days from the

date they received the Report and Recommendation to file written objections to the proposed findings of fact, conclusions of law, and recommendations therein. (Doc. 20, at 1.) A review of the record indicates that no memorandum in opposition has been filed to the Magistrate Judge's Report and Recommendation.

Having carefully considered the Magistrate Judge's Report, the record, and the applicable law, the Court concludes that the Magistrate Judge's Report is correct, and hereby adopts its findings of fact, conclusions of law, and recommendation.

Accordingly,

IT IS ORDERED that the **Magistrate Judge's Report (Doc. 20)** is **ADOPTED** as the Court's opinion herein.

IT IS FURTHER ORDERED that Plaintiff Ronald Williams's **Motion for Summary Judgment (Doc. 18)** is **DENIED**.

IT IS FURTHER ORDERED that Defendant Sgt. Mason Hunter's **Motion for Summary Judgment (Doc. 16)** is **GRANTED in part**, dismissing any claim brought against the Defendant in his official capacity, and **DENIED in all other respects**.

IT IS FURTHER ORDERED that Plaintiff Ronald Williams's claim that Defendant Sgt. Mason Hunter interfered with his legal mail is **DISMISSED** as frivolous.

IT IS FURTHER ORDERED that this matter is referred back to the magistrate judge for further proceedings on Plaintiff Ronald Williams's excessive force claim.

IT IS FURTHER ORDERED that all claims against Defendant John Sanders are **DISMISSED** pursuant to Rule 4(m), for failure to timely serve the Defendant.

Baton Rouge, Louisiana, this 9th day of December, 2013.



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