

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

JUSTIN H. MERRITT (#3452)

CIVIL ACTION

VERSUS

ATTORNEY GENERAL, ET AL.

NO.: 13-00215-BAJ-SCR

RULING AND ORDER

On October 2, 2013, the United States Magistrate Judge issued a Report and Recommendation, pursuant to 28 U.S.C. § 636(b)(1), recommending that Plaintiff Justin Merritt's complaint be dismissed as legally frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i). (Doc. 10.) Plaintiff alleged that the defendants violated his constitutional rights by enacting the same-sex marriage ban in Louisiana.

The Magistrate Judge's Report and Recommendation specifically notified Plaintiff that, pursuant to 28 U.S.C. § 636(b)(1), he had fourteen (14) days from the date he received the Report and Recommendation to file written objections to the proposed findings of fact, conclusions of law, and recommendations therein. (Doc. 10, at 1.) A review of the record indicates that Plaintiff did not file a memorandum in opposition 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. 10)** is **ADOPTED** as the Court's opinion herein.

IT IS FURTHER ORDERED that the above captioned matter is **DISMISSED**, without leave to amend, because there is no conceivable, non-frivolous federal claim Plaintiff Justin Merritt could assert against these defendants consistent with the facts alleged in his complaint.

Baton Rouge, Louisiana, this 13th day of November, 2013.



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