

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

JAUVE COLLINS (#551251)

VERSUS

CIVIL ACTION

TRISH FOSTER

NUMBER 13-232-BAJ-SCR

RULING ON MOTION TO RECUSE THE ATTORNEY GENERAL

Before the court is the plaintiff's Motion to Recuse the Attorney General From Represents the Defendant. Record document number 16.

Based on a convoluted series of events which apparently occurred in connection with the plaintiff's state court criminal prosecution, the plaintiff sought to prevent the Louisiana Attorney General from representing the defendant in this case.


No attorney has appeared in the case to represent the defendant. In fact, the court has not ordered defendant to be served with the Complaint because the court has not yet determined whether the Complaint is frivolous. A hearing is scheduled, pursuant to *Spears v. McCotter*, 766 F.2d 179 (5th Cir. 1985), on July 23, 2013, for that purpose.¹ However, the court can easily determine that the plaintiff's motion is frivolous. The events described in the plaintiff's motion in no way support barring the Louisiana Attorney General from representing the defendant in this

¹ Record document number 9.

case.

Accordingly, the plaintiff's Motion to Recuse the Attorney General From Represents the Defendant is frivolous and therefore is denied.

Baton Rouge, Louisiana, July 19, 2013.



STEPHEN C. RIEDLINGER
UNITED STATES MAGISTRATE JUDGE