

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

DONALD HENSLEY, JR. (#112218)

VERSUS

LT. CHAFFIN, ET AL.

CIVIL ACTION NO.

13-280-SDD-RLB

RULING

The Court, after carefully considering the *Complaint*¹, the record, the law applicable to this action, and the *Report and Recommendation*² of United States Magistrate Judge Richard L. Bourgeois, Jr. dated January 30, 2015, to which no objection has been filed, hereby approves the *Report and Recommendation* of the Magistrate Judge and adopts it as the Court's opinion herein.

ACCORDINGLY, the Defendants' *Motion for Partial Summary Judgment*³ is GRANTED, dismissing the Plaintiff's claim for monetary damages asserted against the Defendants in their official capacities and dismissing the Plaintiff's claims regarding the alleged issuance of a false disciplinary charge and the alleged failure to follow prison rules and procedures.

Further, the Plaintiff's *Motion for Summary Judgment*⁴ and *Supplemental Motion for Summary Judgment*⁵ are DENIED, and this matter is referred back to the Magistrate for further proceedings in connection with the Plaintiff's claim that the Defendants failed

¹ Rec. Doc. 1.

² Rec. Doc. 93.


³ Rec. Doc. 71.

⁴ Rec. Doc. 73.

⁵ Rec. Doc. 87.

to protect him from harm at the hands of a co-inmate on April 28, 2012, and that such failure was motivated by retaliatory animus on the part of Defendant Lucien Chaffin.

Baton Rouge, Louisiana the 25 day of February, 2015.



SHELLY D. DICK, DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA