

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

ROY JONES (#358063)

VERSUS

DR. JASON COLLINS, ET AL.

CIVIL ACTION

NO. 13-392-SDD-RLB

**RULING AND ORDER**

The Court has carefully considered the *Complaint*<sup>1</sup>, the record, the law applicable to this action, and the *Report and Recommendation*<sup>2</sup> of United States Magistrate Judge Richard L. Bourgeois, Jr. dated June 20, 2014. Plaintiff has filed an *Objection*<sup>3</sup> which the Court has also considered.

The Court hereby approves the *Report and Recommendation* of the Magistrate Judge and adopts it as the Court's opinion herein. Accordingly, the Court declines to exercise supplemental jurisdiction over the Plaintiff's state law claims. Further,

**IT IS ORDERED** that the Plaintiff's claims asserted against the Defendants in their official capacities are dismissed for lack of jurisdiction, and the Plaintiff's claims asserted against the Defendants identified in the *Complaint* as "Jane Doe EMT # 537" and "John Doe Social Worker Supervisor" are dismissed, without prejudice, for failure of the Plaintiff to serve these Defendants within 120 days as mandated by Fed. R. Civ. P. 4(m).

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<sup>1</sup> Rec. Doc. 1.


<sup>2</sup> Rec. Doc. 24.

<sup>3</sup> Rec. Doc. 25.

**IT IS FURTHER ORDERED** that the *Motion for Partial Summary Judgment*<sup>4</sup> of the remaining Defendants is GRANTED, dismissing, for failure to exhaust administrative remedies pursuant to 42 U.S.C. § 1997e(e), the Plaintiff's claims relative to all events occurring subsequent to February 28, 2013 and the Plaintiff's claims asserted against Defendants, Mark Allen, Karla Bringedahl, EMT Diaz, and Stephanie Lamartiniere.

**IT IS FURTHER ORDERED** that this matter is referred back to the Magistrate Judge for further proceedings in connection with the Plaintiff's claim asserted against Defendants, Jason Collins and EMT White, regarding alleged deliberate medical indifference occurring between February 17 and February 28, 2013.

Baton Rouge, Louisiana the 18 day of July, 2014.

  
SHELLY D. DICK, DISTRICT JUDGE  
MIDDLE DISTRICT OF LOUISIANA

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<sup>4</sup> Rec. Doc. 14.