

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

JOHN H. JONES (#313554)

VERSUS

WARDEN BUTLER, ET AL.

CIVIL ACTION


NO. 13-486-SDD-SCR

RULING
AND
ORDER OF DISMISSAL

The Court has carefully considered the *Complaint*¹, the record, the law applicable to this action, and the *Report and Recommendation*² of United States Magistrate Judge Stephen C. Riedlinger dated April 16, 2014, to which no objection has been filed, and hereby approves the *Report and Recommendation* of the Magistrate Judge and adopts it as the Court's opinion herein.

ACCORDINGLY, the Defendants' *Motion for Summary Judgment*³ is GRANTED. The claims against Sgt. Harris, Capt. Smith and Capt. Williams are dismissed for failure to prosecute pursuant to Rule 4(m), Fed.R.Civ.P. Further, the Court declines to exercise supplemental jurisdiction over any state law claim. Therefore, the *Complaint* is dismissed without prejudice to any state law claim.

Baton Rouge, Louisiana the 15 day of May, 2014.


SHELLY D. DICK, DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA

¹ Rec. Doc. 1.
² Rec. Doc. 24.
³ Rec. Doc. 9.