

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

MARK E. WALKER (#550507)

CIVIL ACTION

VERSUS

NO. 13-553-JJB-RLB

JAMES LEBLANC, ET AL.

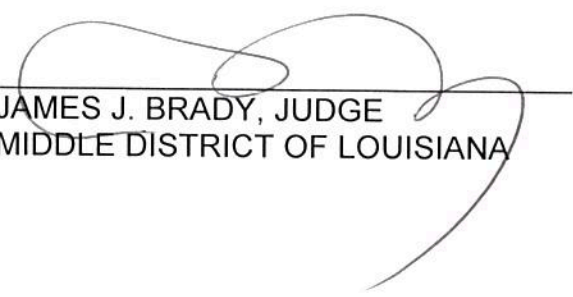
RULING

The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Richard L. Bourgeois, Jr. dated January 30, 2015 (doc. no. 92) to which no objection has been filed.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, the plaintiff's claims asserted against defendants Lynette Gill and George McGee are DISMISSED for failure of the plaintiff to serve these defendants within 120 days as mandated by Fed.R. Div. P. 4(m). Further, the Motions to Dismiss of the remaining defendants (doc. no. 77, 80 and 89) are granted in part, (1) dismissing the plaintiff's claims regarding the mishandling and denial of his administrative proceedings by defendants Delaine Burgess, Jedonne Johnson, Janet Bruce and Stephanie Lamartiniere, (2) dismissing all claims asserted against defendant Delores Bluit, and (3) dismissing the plaintiff's claims regarding the violation of his duty status restrictions and the Americans With Disabilities Act, with prejudice, and this matter is referred back to the Magistrate Judge for further proceedings in connection with the plaintiff's Eighth Amendment claim of deliberate medical indifference in the provision of alleged inappropriate eye-wear at Phelps Correctional Center between April and

September, 2012, asserted against defendants John Crawford, Roy Williams, Carole Gilcrease and Janet Bruce.

Baton Rouge, Louisiana, this 19th day of March, 2015.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA