

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

TIMOTHY WASHINGTON (#41180)

CIVIL ACTION

VERSUS

NO. 13-738-JJB-SCR

SID GAUTREAUX, ET AL.

**RULING AFFIRMING AND ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATIONS**

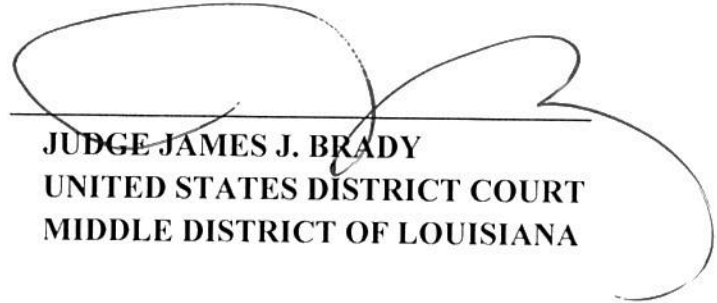
This matter is before the Court following a hearing pursuant to *Spears v. McCotter*, 766 F.2d 179 (5th Cir. 1985), to determine whether the Complaint (doc. 1) filed by Plaintiff Timothy Washington, should be dismissed as frivolous. In the Report and Recommendations (doc. 9) of United States Magistrate Judge Stephen Riedlinger, dated May 22, 2014, the Magistrate Judge recommended that the plaintiff's claims against all defendants be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(i), and without leave to amend because there is no conceivable, non-frivolous federal claim that the plaintiff could assert against any defendant consistent with the facts alleged in his complaint as amended at the Spears hearing. No objection was filed as to the Report and Recommendation. (Doc. 9).

The Court has considered the Complaint, the record, the applicable law, and the Report and Recommendations of United States Magistrate Judge Stephen Riedlinger. The Court finds that the Magistrate Judge's findings of fact, conclusions of law, and recommendations are correct.

After review, the Court hereby **AFFIRMS** and **ADOPTS** the Magistrate Judge's Report and Recommendations (doc. 9). Accordingly, the plaintiff's claims against Defendants Sheriff Sid Gautreaux, III, Warden Dennis Grimes, Capt. Darrell Bell, Wayne Patrick, Maj. Robert

Clements, Lt. Simmons, Capt. Caberette, Dy. Persick, and the East Baton Rouge Sheriff's Office
are **DISMISSED**.

Baton Rouge, Louisiana, this 15th day of July, 2014.



JUDGE JAMES J. BRADY
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA