

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

THEODORE ARITA (#422864)

CIVIL ACTION

VERSUS

MAJ. HOOKER, ET AL.

NO.:14-00116-BAJ-EWD

RULING AND ORDER

On March 3, 2016, the United States Magistrate Judge issued a Report and Recommendation, pursuant to 28 U.S.C. § 636(b)(1), recommending that the **Motions for Summary Judgment (Docs. 61, 132)**, filed by the Defendants, be granted. (Doc. 148).

The Magistrate Judge's Report and Recommendation specifically notified Plaintiff, Theodore Arita, that, pursuant to 28 U.S.C. § 636(b)(1), he had fourteen (14) days from the date he received the Report and Recommendation to file written objections to the proposed findings of fact, conclusions of law, and recommendations therein. (Doc. 148 at p. 1). Plaintiff did not file a written objection.

Having carefully considered Plaintiff's Complaint and the Motions for Summary Judgment, the Court approves the Magistrate Judge's Report and Recommendation, and hereby adopts the findings of fact, conclusions of law, and recommendation.

Accordingly,

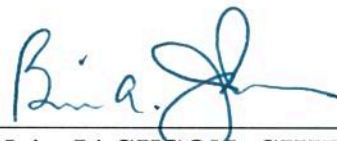
**IT IS ORDERED** that the **Magistrate Judge's Report and Recommendation (Doc. 148)** is **ADOPTED** as the Court's opinion herein.

**IT IS FURTHER ORDERED** that Defendants' **Motion for Summary Judgment (Doc. 61)** and **Motion for Summary Judgment (Doc. 132)** are **DENIED**.

**IT IS FURTHER ORDERED** that Plaintiff's claims against the Defendants, "John Doe" medical providers, are **DISMISSED** for Plaintiff's failure to identify and serve these Defendants within the time allowed by Rule 4(m) of the Federal Rules of Civil Procedure.

**IT IS FURTHER ORDERED** that the Court declines jurisdiction over any pendent state law claims, and that those claims are **DISMISSED WITHOUT PREJUDICE**.

Baton Rouge, Louisiana, this 23<sup>rd</sup> day of March, 2016.



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**BRIAN A. JACKSON, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA**