

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

TONY'S TOWING, INC.

CIVIL ACTION

VERSUS

STATE OF LOUISIANA

NO.: 14-00176-BAJ-RLB

RULING AND ORDER

Before the Court is a **Motion to Remand (Doc. 2)**, filed by Plaintiff Tony's Towing, Inc., seeking an order from this Court remanding the above-captioned matter to the Nineteenth Judicial District Court, Parish of East Baton Rouge, State of Louisiana. Defendant the State of Louisiana opposes the motion. (Doc. 3.)

On September 5, 2014, United States Magistrate Judge Richard L. Bourgeois, Jr. issued a Report and Recommendation, pursuant to 28 U.S.C. § 636(b)(1)(B), recommending that Plaintiffs' Motion to Remand be denied. (Doc. 10.)

The Magistrate Judge's Report and Recommendation specifically notified Plaintiff that, pursuant to 28 U.S.C. § 636(b)(1), it had fourteen (14) days from the date of service to file written objections to the proposed findings of fact, conclusions of law, and recommendation therein. (Doc. 10, p. 1.) A review of the record indicates that Plaintiff did not file written objections to the Magistrate Judge's Report and Recommendation.

Having carefully considered Plaintiff's motion, Defendant's memoranda in opposition, the Magistrate Judge's Report and Recommendation, the record, and the applicable law, the Court concludes that the Magistrate Judge's Report and Recommendation is correct, and hereby adopts its findings of fact, conclusions of law, and recommendation.

Accordingly,

**IT IS ORDERED** that the **Magistrate Judge's Report (Doc. 10)** is **ADOPTED** as the Court's opinion herein.

**IT IS FURTHER ORDERED** that Plaintiff's **Motion to Remand (Doc. 2)** is **DENIED**.

Baton Rouge, Louisiana, this 4<sup>th</sup> day of November, 2014.



---

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