

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

JERRY SANTEE (#82967)

VERSUS

SETH SMITH

CIVIL ACTION

NO. 14-738-JJB-SCR

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 Stephen C. Riedlinger dated December 2, 2014 (doc. no. 4). The plaintiff filed an objection which essentially makes the same arguments and has been duly considered by the court.

The court hereby approves the report and recommendation of the Magistrate Judge and adopts it as the court's opinion herein. Accordingly, this action is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), unless within 14 days the plaintiff files a motion for leave accompanied by a proposed amended complaint which alleges specific facts as to each defendant that are sufficient to state a claim upon which relief may be granted. Further, if the complaint is DISMISSED, the court declines to exercise supplemental jurisdiction over any state law claim the plaintiff may have alleged.

Baton Rouge, Louisiana, this 6th day of January, 2015.



JAMES J. BRADY, U.S. DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA