

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

BRANDON S. LAVERGNE (#424227)

CIVIL ACTION

VERSUS

N. BURL CAIN, ET AL.

NO.: 15-00034-BAJ-SCR

RULING AND ORDER

Before the Court is a **Motion for Judgement by Default (Doc. 26)** filed by Plaintiff Brandon S. LaVergne (“Plaintiff”). Plaintiff, in short, requests that the Court enter a default judgment against Defendants N. Burl Cain, Trisha Foster, Supervisor of Investigative Services, Larry Smith, Michael Vaugh, Cindy Vannoy, and Amber Vittirao (collectively, “Defendants”) pursuant to Rule 55 of the Federal Rules of Civil Procedure. The Magistrate Judge has issued a Report and Recommendation recommending that Plaintiff’s motion be denied. (*See* Doc. 27). Plaintiff has timely filed written objections to the Magistrate Judge’s Report and Recommendation. (*See* Doc. 28).

Having carefully considered the record, the applicable law, the Magistrate Judge’s Report and Recommendation, and Plaintiff’s objections thereto, the Court **APPROVES** the Magistrate Judge’s **Report and Recommendation (Doc. 27)** and **ADOPTS** it as the Court’s opinion herein.

Accordingly,

IT IS ORDERED that Plaintiff's **Motion for Judgement by Default (Doc. 26)** is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's **Motion for Service Order (Doc. 34)** is **GRANTED**.

IT IS FURTHER ORDERED that the United States Marshals Service is **APPOINTED** to serve Defendants.

IT IS FURTHER ORDERED that Plaintiff **IS TO COMPLETE** Form-USM 285 and **MAIL THE FORM** to the United States Marshals Service at 777 Florida Street, Suite G48, Baton Rouge, LA 70801.

IT IS FURTHER ORDERED that **UPON RECEIPT OF SERVICE FEES**,¹ the United States Marshals Service **SHALL SERVE** Defendants wherever found.

IT IS FURTHER ORDERED that Plaintiff is **GRANTED AN ADDITIONAL 45 DAYS TO SERVE** Defendants.

Baton Rouge, Louisiana, this 7th day of October, 2015.



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

¹ Because Plaintiff is barred from proceeding *in forma pauperis*, (See Doc. 2), he must, like any other non-pauper plaintiff, pay all applicable fees to the United States Marshals Service.