

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

LARRY HARDESTY

CASE NO. 15-cv-240-JJB-SCR

VERSUS

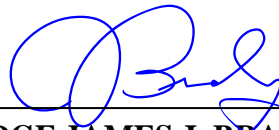
MARTY FREEMAN, ET AL.

**RULING ON MOTION TO DISMISS**

Defendants, Sheriff Gautreaux, Deputy Henning, and Deputy Hotard, move for this Court to dismiss Plaintiff's complaint for failure to state a claim. Three of the four named Defendants are also movants to this motion to dismiss. Named Defendant Deputy Sergeant Marty Freeman is not a movant to this motion. In asserting factual allegations, Plaintiff only asserts factual matter as to non-movant, Defendant Freeman (doc. 1-3, at 2). Other than naming the three remaining Defendants, there is no factual matter regarding action or inaction of the movants asserted. Additionally, with regard to Sheriff Gautreaux, Plaintiff does not point to any policy or procedure that would allow any claim against Sheriff Gautreaux in his official capacity to proceed. Plaintiff has not filed any opposition to indicate that an amended complaint would cure these defects.

For the reasons more fully explained in the Defendants' Motion (doc. 3) to Dismiss, the motion is **GRANTED**, dismissing the claims against Defendants Gautreaux, Henning, and Hotard.

Signed in Baton Rouge, Louisiana, on June 18, 2015.



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