

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

KEITH JOHN ALOMBRO (#429525)

VERSUS

ANGELO TARVER, ET AL.

CIVIL ACTION

NO. 15-548-JJB-RLB

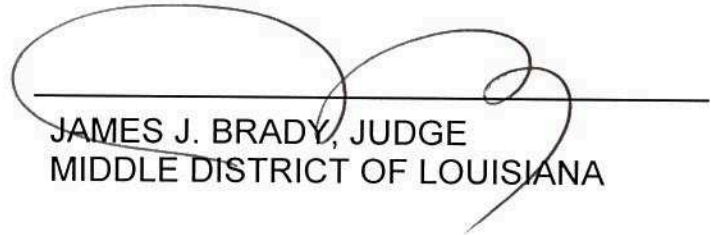
RULING

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 Richard L. Bourgeois, Jr. dated August 24, 2016 (doc. no. 28) to which no objection has been filed.

The court hereby approves the report and recommendation of the Magistrate Judge and adopts it as the court's opinion herein. Accordingly, defendants' Motion for Summary Judgment filed on behalf of defendants Tarver, Cleveland, Hughes, Vannoy, and Wilson (doc. no. 19) are GRANTED IN PART, and the claims against defendant Dr. Tarver are DISMISSED with prejudice as prescribed. In all other regards, the Motion (doc. no. 19) and the Motion for Summary Judgment filed on behalf of defendant McDonald (doc. no. 24) is DENIED. Further, the defendants' Motions to Dismiss (doc. no. 11 and 26) are GRANTED IN PART, and the plaintiff's claims against the defendants for failure to respond to his informal complaints and violations of his due process rights are DISMISSED. Further, the defendants' Motions to Dismiss are DENIED as to the plaintiff's claim of deliberate indifference to his serious medical needs, and this matter is referred back to the Magistrate

Judge for further proceedings. Further, the exercise of supplemental jurisdiction is declined as to the plaintiff's state law claims.

Baton Rouge, Louisiana, this 14th day of September, 2016.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA