

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

ROBERT RINGO

CIVIL ACTION

VERSUS

JASON ARD, ET AL.

NO.: 15-00713-BAJ-EWD

**RULING AND ORDER**

Before the Court is the United States Magistrate Judge's **Report and Recommendation (Doc. 24)**, pursuant to 28 U.S.C. § 636(b)(1). The Magistrate Judge recommended that the Defendants' pending motions (Docs. 8, 15, 16, 19, and 20) in this proceeding be terminated on the Court's Docket, without prejudice to re-assertion upon the substitution of a proper party-plaintiff herein. (Doc. 24 at p. 4). The Magistrate Judge further recommended that Defendants be directed to undertake to personally serve the successors or representatives of the estate of the deceased Plaintiff, Robert Ringo, with the Rule 25(a)(1) Statement Noting Death filed in this proceeding. (*Id.*).

The Report and Recommendation notified the Defendants that, pursuant to 28 U.S.C. § 636(b)(1), they had fourteen (14) days from the date of the Report and Recommendation to file written objections to the proposed findings of fact, conclusions of law and recommendations therein. (Doc. 24 at p. 1). No objections were filed.

Having carefully considered the underlying Complaint, the instant motions, and related filings, the Court approves the Magistrate Judge's Report and Recommendation, and hereby adopts the findings of fact, conclusions of law, and recommendation.

Accordingly,

**IT IS ORDERED** that the **Magistrate Judge's Report and Recommendation (Doc. 24)** is **ADOPTED** as the Court's opinion herein.

**IT IS FURTHER ORDERED** that the **Motion to Dismiss, Pursuant to FRCP Rule 12(b)(6), for Failure to State a Claim Upon Which Relief can be Granted (Doc. 8)** by Defendants David Guidry and Scott Perrilloux is **DENIED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that the **Motion to Dismiss (Doc. 15)** by Defendants Jason Ard, Sheriff of Livingston Parish, State of Louisiana (also improperly named as the Livingston Parish Sheriff's Office), and Stan Carpenter is **DENIED WITHOUT PREJUDICE**.

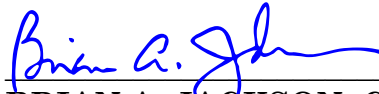
**IT IS FURTHER ORDERED** that the **Motion to Dismiss (Doc. 16)** by Defendant Paul Perkins is **DENIED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that the **Motion to Dismiss (Doc. 19)** by Defendant Sherman Mack is **DENIED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that the **Motion to Extend Deadline for Plaintiff to File Opposition to Motion to Dismiss (Doc. 20)** by Defendants Jason Ard, State of Louisiana, and Stan Carpenter is **DENIED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that counsel for Defendants are ordered to personally serve the successors or representatives of the estate of the deceased Plaintiff, Robert Ringo, with the Rule 25(a)(1) Statement Noting Death by **April 13, 2017**.

Baton Rouge, Louisiana, this 17th day of March, 2017.



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