

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

STEPHRONE WASHINGTON (#321815)

VERSUS

UNKNOWN VANNOY, ET AL.

CIVIL ACTION

15-749-SDD-RLB


**RULING**

The Court has carefully considered the *Complaint*,<sup>1</sup> the record, the law applicable to this action, and the *Report and Recommendation*<sup>2</sup> of United States Magistrate Judge Richard L. Bourgeois, Jr. dated June 8, 2016. Defendant Darryl Vannoy has filed an objection<sup>3</sup> which the Court has also considered.

The Court hereby approves the *Report and Recommendation* of the Magistrate Judge and adopts it as the Court's opinion herein.

**Accordingly**, Plaintiff's claims against Defendants, Cleveland and Travis, are dismissed without prejudice for failure of the Plaintiff to serve these Defendants within 120 days as mandated by Federal Rule of Civil Procedure 4(m) at the time of the filing of the Plaintiff's *Complaint*. Further the Parties' *Cross Motions for Summary Judgment*<sup>4</sup> are denied, and this matter is referred back to the United States Magistrate Judge for further proceedings as appropriate.

Baton Rouge, Louisiana the 26 day of July, 2016.

  
SHELLY D. DICK, DISTRICT JUDGE  
MIDDLE DISTRICT OF LOUISIANA

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<sup>1</sup> Rec. Doc. 1.

<sup>2</sup> Rec. Doc. 14.

<sup>3</sup> Rec. Doc. 15.

<sup>4</sup> Rec. Docs. 8 and 13.