

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

JOHN L. MOORE, JR. (#410590)

CIVIL ACTION

VERSUS

NO. 15-812-JJB-EWD

BURL CAIN, ET AL.

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 Erin Wilder Doomes dated January 23, 2017 (doc. no. 29). The plaintiff has filed objections which lack merit and have been duly addressed by the Magistrate Judge.

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 (doc. no. 21) is GRANTED IN PART, dismissing Plaintiff's claims asserted against defendant Burl Cain, without prejudice, for failure to exhaust administrative remedies as mandated by 42 U.S.C. § 1997e. Further, Defendants' Motion for Summary Judgment (doc. no. 21) is otherwise DENIED and this matter is referred back to the Magistrate Judge for further proceedings in connection with Plaintiff's claims asserted against Defendant Tim Delaney.

Baton Rouge, Louisiana, this 13th day of February, 2017.



JAMES J. BRADY
UNITED STATES DISTRICT JUDGE