

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

DWIGHT BACON (#556894)

VERSUS

MAJOR BENJAMIN ZERINGUE, ET AL.

CIVIL ACTION

NO. 16-220-JWD-RLB

OPINION

After independently reviewing the entire record in this case and for the reasons set forth in Magistrate Judge's Report dated June 21, 2017, to which no objection was filed:


IT IS ORDERED that the defendants' Motion to Dismiss (R. Doc. 14) is granted in part, dismissing any claims against defendants Zeringue and Montandon in their official capacities for monetary damages.

IT IS FURTHER ORDERED that the plaintiff's claim against defendant Montandon is dismissed with prejudice.

IT IS FURTHER ORDERED that the defendants' Motion to Dismiss is denied as to the plaintiff's excessive force claim against defendant Zeringue, and the plaintiff's request for compensatory damages.

IT IS FURTHER ORDERED that the Court decline the exercise of supplemental jurisdiction in connection with the plaintiff's potential state law claims.

Signed in Baton Rouge, Louisiana, on July 6, 2017.



**JUDGE JOHN W. deGRAVELLES
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**