

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ADAM SMITH (#70741)

CIVIL ACTION

VERSUS

SHERYL RANATZA

NO.: 16-00279-BAJ-RLB

RULING AND ORDER

Before the Court is the United States Magistrate Judge's **Report and Recommendation (Doc. 7)**, pursuant to 28 U.S.C. § 636(b)(1). The Magistrate Judge recommended that this action be dismissed, with prejudice, as legally frivolous and for failure to state a claim upon which relief may be granted. (Doc. 7 at p. 4).

The Report and Recommendation notified Plaintiff that, pursuant to 28 U.S.C. § 636(b)(1), he had fourteen (14) days from the date he received the Report and Recommendation to file written objections to the proposed findings of fact, conclusions of law, and recommendations therein. (Doc. 7 at p. 1). Plaintiff timely filed an objection.¹

Having carefully considered the underlying Complaint, the instant motions, and related filings, the Court approves the Magistrate Judge's Report and

¹ In his objection, Plaintiff argues that he has a liberty interest to have parole proceedings that are free from the influence of outside prosecutors or judges. (Doc. 8 at p. 2). However, for his claim to be successful, the Louisiana statutes governing parole proceedings must confer onto him a liberty interest, and it is well settled that, under the Due Process Clause, Louisiana State Parole Rules do not confer a liberty interest to offenders. *Stevenson v. Louisiana Bd. of Parole*, 265 F.3d 1060, *1 (5th Cir. 2001). Therefore, Plaintiff's objection is overruled.

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. 7)** is **ADOPTED** as the Court's opinion herein.

IT IS FURTHER ORDERED that the above captioned case is **DISMISSED WITH PREJUDICE**.

Baton Rouge, Louisiana, this 31ST day of January, 2017.



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