

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

LIONEL FRANCIS, ET AL.

CIVIL ACTION

VERSUS

16-496-SDD-RLB

BOEKER, ET AL.

RULING AND JUDGMENT OF DISMISSAL

The Court has carefully considered the *Complaints*,¹ the record, the law applicable to this action, and the *Report and Recommendations*² of United States Magistrate Judge Richard L. Bourgeois, Jr. dated January 2, 2019, to which the Plaintiff filed an objection³ which was also reviewed.

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

Accordingly, the Plaintiff's claims asserted against Capt. Boeker and Sgt. Rogers are dismissed, without prejudice, for failure of the Plaintiff to effect timely service upon them. It is further ordered that the *Motion for Summary Judgment* (Rec. Doc. 47), filed on behalf of Defendant, Stephanie Lamartiniere, is hereby GRANTED and the Plaintiff's ADA claims asserted against this Defendant are dismissed, without prejudice, for failure to exhaust administrative remedies, and all remaining claims against this Defendant are hereby dismissed, with prejudice. It is further ordered that the Court declines the exercise

¹ Rec. Docs. 1 and 5.

² Rec. Doc. 63.

³ Rec. Doc. 64.

of supplemental jurisdiction in connection with any potential state law claims, and this action is dismissed in its entirety.

Baton Rouge, Louisiana the 22 day of January, 2019.



SHELLY D. DICK, CHIEF DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA