

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

MERLE GLENN KIRKLEY (#514276)

CIVIL ACTION

VERSUS

16-527-SDD-RLB


WEST BATON ROUGE DETENTION CENTER

**RULING**

The Court, after carefully considering 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 October 26, 2016, to which no objection has been filed, hereby approves the *Report and Recommendation* of the Magistrate Judge and adopts it as the Court's opinion herein.

**ACCORDINGLY**, the Plaintiff's action shall be dismissed, with prejudice, as legally frivolous, and for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. §§ 1915(e) and 1915A.

Baton Rouge, Louisiana the 30 day of November, 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. 7.