

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

ERIC SMITH (#132195)

VERSUS

UNKNOWN BOEKER

CIVIL ACTION

NO. 17-362-JJB-RLB

**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 Judge Richard L. Bourgeois, Jr. dated August 30, 2017 (R. Doc. 6) to which no objection has been filed.

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 action is 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. Further, plaintiff's Motion for Issuance of Summons (R. Doc. 5) is DENIED as moot.

Signed in Baton Rouge, Louisiana, on September 14, 2017.



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JUDGE JAMES J. BRADY  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA