

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

KIRK M. BELL (#225904)

CIVIL ACTION

VERSUS

JAMES M. LEBLANC, ET AL.

NO.: 17-00671-BAJ-EWD

RULING AND ORDER

Before the Court is the United States Magistrate Judge's **Report and Recommendation (Doc. 49)** pursuant to 28 U.S.C. § 636(b)(1). The Report and Recommendation addresses **Defendants' Motion for Summary Judgment (Doc. 44)**, submitted by Defendants James LeBlanc, Darryl Vannoy, Timothy Delaney, Joseph Lamartiniere, and Jerry Hancock. The Magistrate Judge recommended that Plaintiff's claims against all moving Defendants be dismissed with prejudice. It was further recommended that Plaintiff's claims against the remaining Defendant, John/Jane Doe #1, be dismissed with prejudice *sua sponte* due to Plaintiff's failure to state a legally cognizable claim. Lastly, the Report and Recommendation recommended that, with no claims remaining, this action be dismissed with prejudice.

The Report and Recommendation notified the parties that, pursuant to 28 U.S.C. § 636(b)(1), they had fourteen (14) days from the date they received the Report and Recommendation to file written objections to the proposed findings of fact,

conclusions of law, and recommendations therein. Plaintiff filed a timely Objection (Doc. 50).

Plaintiff's Objection brings several challenges to the Report and Recommendation. Upon review of the factors presented for consideration, Plaintiff's Objection fails to cite any statutes or jurisprudence in support of his challenges and fails to cure the deficiencies noted in the Report and Recommendation. The Court concludes that the Magistrate Judge has holistically addressed the applicable law that relates to the facts alleged in Plaintiff's Complaint and has properly applied the controlling law.

Having carefully and independently considered the underlying Complaint, the instant motions, and related filings, the Court approves the Magistrate Judge's Report and Recommendation, and hereby adopts its findings of fact, conclusions of law, and recommendation.

Accordingly,

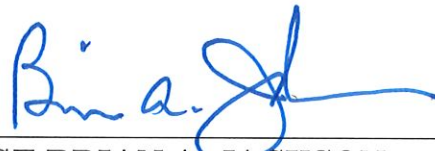
IT IS ORDERED that the **Magistrate Judge's Report and Recommendation (Doc. 49)** is **ADOPTED** as the Court's opinion herein.

IT IS FURTHER ORDERED that that the **Defendants' Motion for Summary Judgment (Doc. 44)**, filed by Defendants James LeBlanc, Darryl Vannoy, Timothy Delaney, Joseph Lamartiniere, and Jerry Hancock is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff's claims against James LeBlanc, Darryl Vannoy, Timothy Delaney, Joseph Lamartiniere, and Jerry Hancock are **DISMISSED**.

IT IS FURTHER ORDERED that Plaintiff's remaining claims against John/Jane Doe #1 are **DISMISSED** *sua sponte* for failure to state a legally cognizable claim. A final judgment shall issue in accordance with Federal Rule of Civil Procedure 58.

Baton Rouge, Louisiana, this 11th day of March, 2020.



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