

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

MARK A. MILLER

CIVIL ACTION

VERSUS

PREETY SINGH ET AL.

NO.: 17-01677-BAJ-RLB

RULING AND ORDER

Before the Court is the United States Magistrate Judge's **Report and Recommendation (Doc. 54)** pursuant to 28 U.S.C. § 636(b)(1). The Report and Recommendation addresses Defendants' **Motion to Dismiss (Doc. 43)**.

On February 28, 2019, the Court dismissed all of Plaintiff's claims against all Defendants except his retaliation claim and claim for deliberate indifference against Defendant Dr. Pretty Singh. Plaintiff, in his original complaint, alleged that Singh failed to provide him with a duty status that properly identified his medical restrictions. (Doc. 1 at p. 10). Plaintiff was granted leave to amend the complaint to add further detail in support of this claim. (Doc. 38 at p. 4). Plaintiff filed an amended complaint on March 26, 2019. (Doc. 39). However, as the Magistrate Judge indicates, the amended complaint makes no allegations with respect to Singh.¹ Accordingly, the Magistrate Judge recommends that Plaintiff's claims against Singh be dismissed.

The Report and Recommendation notified the parties that, pursuant to 28 U.S.C. § 636(b)(1), they had fourteen days from the date they received the Report and

¹ As the Magistrate Judge noted, rather than asserting additional allegations against Singh, Plaintiff inexplicably added additional Defendants in the amended complaint.

Recommendation to file written objections to the proposed findings of fact, conclusions of law, and recommendations therein. (Doc. 54 at p. 1). Neither party objected.

Having carefully considered the amended complaint, the instant motions, and related filings, the Court approves the Magistrate Judge's Report and 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. 54)**, is **ADOPTED** as the Court's opinion herein.

IT IS FURTHER ORDERED that Defendants' **Motion to Dismiss (Doc. 43)** is **GRANTED**.

IT IS FURTHER ORDERED that the Court declines the exercise of supplemental jurisdiction in connection with Plaintiff's potential state law claims.

IT IS FURTHER ORDERED that this matter is **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that the **Objection to the Magistrate Judge's Order Regarding Order on Motion to Appoint Counsel (Doc. 29)** and the **Rule 73 Motion/Objection to the Magistrate Judge's Order on Motion for Extension of Time (Doc. 34)** are **DENIED AS MOOT**.

Baton Rouge, Louisiana, this 27th day of June, 2019.

A handwritten signature in blue ink, appearing to read "Brian A. Jackson", written over a horizontal line.

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