

**UNITED STATES DISTRICT COURT****MIDDLE DISTRICT OF LOUISIANA****KEDRICK JOHNSON (#481715)****CIVIL ACTION****VERSUS****NO. 18-813-JWD-SDJ****DARREL VANNOY, ET AL.****OPINION**

After independently reviewing the entire record in this case and for the reasons set forth in the Magistrate Judge's Report dated July 14, 2020 (Doc. 37), to which no objection was filed;

**IT IS ORDERED** that the plaintiff's claims asserted against defendants Billy Cannon, Jane Doe, and John or Jane Doe are dismissed, without prejudice, for failure of the plaintiff to effect timely service upon them.

**IT IS FURTHER ORDERED** that the defendants' Motion to Dismiss (R. Doc. 31) is granted in part, dismissing the plaintiff's claims with prejudice, in their entirety, against defendants Vannoy, LeBlanc, and Falgout. The defendants' Motion is granted in part as to Dr. Lavespere, dismissing with prejudice the plaintiff's claims: (1) for monetary damages asserted against Dr. Lavespere in his official capacity; (2) with regards to the plaintiff's oral care; and (3) with regards to Dr. Lavespere's statement to security. In all other regards the Motion (R. Doc. 31) is denied,

**IT IS FURTHER ORDERED** that the Court declines the exercise of supplemental jurisdiction in connection with the plaintiff's potential state law claims, and that this matter

is referred back to the Magistrate Judge for further proceedings.

Signed in Baton Rouge, Louisiana, on July 30, 2020.



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**JUDGE JOHN W. deGRAVELLES  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA**