

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

DERRICK B. PIERRE (#315407)

CIVIL ACTION

VERSUS

NO. 18-1094-JWD-EWD

LOCAL RULE POLICY MAKER FOR
THE FIRST CIRCUIT COURT OF APPEAL

OPINION

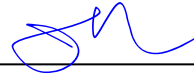
After independently reviewing the entire record in this case and for the reasons set forth in the Magistrate Judge's Report dated July 23, 2019, to which an opposition was filed, (Doc. 10);

IT IS ORDERED that Plaintiff's action is DISMISSED, WITH PREJUDICE, for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. §§ 1915(e) and 1915A.¹

IT IS FURTHER ORDERED that Plaintiff's pending Motions² are DENIED AS MOOT.

Judgment shall be entered accordingly.

Signed in Baton Rouge, Louisiana, on August 15, 2019.



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

¹ Plaintiff is advised that 28 U.S.C. § 1915(g) provides that, "In no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under this section [Proceedings in forma pauperis] if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury."

² R. Docs. 6 & 8.