

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF LOUISIANA

KELVIN RAY SMITH (#94994)

CIVIL ACTION NO.

VERSUS

20-371-JWD-EWD

JAMES LeBLANC, ET AL.

OPINION

After independently reviewing the entire record in this case and for the reasons set forth in the Magistrate Judge's Report (Doc. 7) dated October 28, 2020, to which an objection was filed and considered (Doc. 8);

IT IS ORDERED that the Court declines to exercise supplemental jurisdiction over Plaintiff's potential state law claims, and that Plaintiff's federal claims shall be **DISMISSED WITH PREJUDICE** as legally frivolous and for failure to state a claim pursuant to 28 U.S.C. §§ 1915 and 1915A.¹

Signed in Baton Rouge, Louisiana, on December 3, 2020.



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." **Because the Report and Recommendation (Doc. 7) was adopted, this Ruling will constitute a strike.**