

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA**

**SIMON SHOKR (#709157)**

**CIVIL ACTION**

**VERSUS**

**JAMES LEBLANC, ET AL.**

**NO. 20-00488-BAJ-SDJ**

**RULING AND ORDER**

Before the Court is Plaintiff's *pro se* Complaint (Doc. 1), Motion for Temporary Restraining Order (Doc. 3), and Motion for Ruling on Motion for Temporary Restraining Order (Doc. 5). Plaintiff is a state prisoner, and alleges various constitutional violations arising from prison officials' purported failure to adequately protect him from health risks posed by the ongoing COVID-19 pandemic. Plaintiff's Motion for Temporary Restraining Order seeks relief in the form of immediate release from confinement.

Plaintiff is proceeding *in forma pauperis*. (Doc. 4). Pursuant to the screening requirements of 28 U.S.C. §§ 1915(e) and 1915A, the Magistrate Judge has issued a Report and Recommendation (Doc. 7) recommending that Plaintiff's federal claims stated in the Complaint be dismissed with prejudice as frivolous; that the Court decline to exercise supplemental jurisdiction over Plaintiff's potential state law claims; and that Plaintiff's request for a temporary restraining order be denied for

failure to show any likelihood of success on the merits of his claims.<sup>1</sup> Plaintiff does not object to the Magistrate Judge's Report and Recommendation.

Having carefully considered Plaintiff's Complaint, Motion for Temporary Restraining Order, and related filings, the Court **APPROVES** the Magistrate Judge's Report and Recommendation and **ADOPTS** it as the Court's opinion in this matter.

Accordingly,

**IT IS ORDERED** that Plaintiff's federal claims alleged in his Complaint are **DISMISSED WITH PREJUDICE** as legally frivolous and for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. §§ 1915(e) and 1915A.

**IT IS FURTHER ORDERED** that Plaintiff's claims based on infringement of his religious freedom contained within Plaintiff's October 20, 2020 notice (Doc. 6), are **DISMISSED WITHOUT PREJUDICE** for Plaintiff's failure to exhaust administrative remedies.

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

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Temporary Restraining Order (Doc. 3) is **DENIED** for failure to show a substantial likelihood of

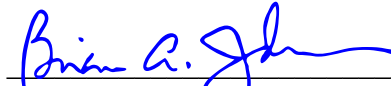
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<sup>1</sup> On October 20, 2020, three months after filing his Complaint and Motion for Temporary Restraining Order, Plaintiff filed a one-page notice, which, liberally construed, plausibly alleges that prison officials have separately discriminated against him based on his religious beliefs. (Doc. 6). The Magistrate Judge further recommends that any potential claims based on Plaintiff's October 20 notice be dismissed without prejudice for failure to exhaust administrative remedies. (Doc. 7 at 13).

success on the merits, and that Plaintiff's Motion for Ruling on Motion for Temporary Restraining Order (Doc. 5) is **DENIED AS MOOT**.

A judgment will issue separately.

Baton Rouge, Louisiana, this 6th day of January, 2021



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