

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

JOHNNY HOYT (#479082)

VERSUS

JAMES M. LeBLANC, ET AL.

CIVIL ACTION NO.
20-865-JWD-EWD

OPINION

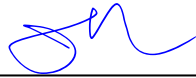
After independently reviewing the entire record in this case and for the reasons set forth in the Magistrate Judge's Report dated November 24, 2021 (Doc. 4), to no objection was filed;

IT IS ORDERED that the claims of Johnny Hoyt against James LeBlanc, as well as all claims arising from alleged violations of equal protection, due process related to the original disciplinary proceedings, claims for injunctive relief against Darryl Vannoy, Michael Jack, and Tammy Hendrickson in their individual capacities, and state law claims arising under the Louisiana Constitution Article I, §§ 1, 3, and 20 are **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. §§ 1915(e) and 1915A for failure to state a claim upon which relief may be granted.

IT IS FURTHER ORDERED that Hoyt's Eighth Amendment claims regarding the conditions of his confinement are **DISMISSED WITHOUT PREJUDICE** to Hoyt's right to file an amended complaint that cures, if and where possible, the deficiencies outlined in the Magistrate Judge's Report with respect to this claim. In the event Hoyt fails to adequately amend his Complaint within twenty-one days of this Ruling, this claim also will be dismissed with prejudice.

IT IS FURTHER ORDERED that this matter is referred back to the Magistrate Judge for further proceedings on Hoyt's remaining claims for injunctive relief against Darryl Vannoy, Tammy Hendrickson, and Michael Jack in their official capacities for due process violations arising from his continued confinement in CCR brought pursuant to the Fourteenth Amendment to the United States Constitution and Article I, § 2 of the Louisiana Constitution.

Signed in Baton Rouge, Louisiana, on January 5, 2022.



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