

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF LOUISIANA

RICHARD CHARLES LOCKLEAR (#725772)

CIVIL ACTION

VERSUS

NO. 22-894-JWD-SDJ

UNKNOWN WARDEN, 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 August 8, 2023 (Doc. 9), to which no objection was filed,

IT IS ORDERED that Plaintiff's claims against Defendant Officer Pennington are 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 ORDERED that Plaintiff is given 21 days from the date of this opinion to amend his Complaint to state additional facts regarding the alleged use of excessive force and to identify the officers who allegedly used excessive force.

Signed in Baton Rouge, Louisiana, on September 7, 2023.



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."