

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

CYNTHIA PAYTON
VERSUS
TONY CLAYTON, ET AL.

CIVIL ACTION NO.
23-0329-JWD-RLB

OPINION

After independently reviewing the entire record in this case and for the reasons set forth in the Report and Recommendation of the Magistrate Judge issued on January 5, 2024 (Doc. 44), to no objection was filed,

IT IS ORDERED that Tony Clayton, Scott Stassi, and Nedi Morgan's Motions to Dismiss under Rule 12(b) for Insufficient Service of Process (Docs. 23, 25, 26) are **DENIED**.

IT IS FURHTER ORDERED Tony Clayton, Scott Stassi, and Nedi Morgan's Motion to Dismiss Pursuant to FRCP Rule 12(b)(6) for Failure to State a Claim Upon Which Relief Can Be Granted (Doc. 4) is **GRANTED**, and Plaintiff's federal and state law claims against Tony Clayton, Scott Stassi, and Nedi Morgan are **DISMISSED WITH PREJUDICE**.

IT IS FURHTER ORDERED that Justice Eugene Simpson's Motion to Dismiss Pursuant to Federal Rules of Civil Procedure 12(b)(6) (Doc. 33) is **GRANTED**, and Plaintiff's federal and state law claims against Justice Eugene Simpson are **DISMISSED WITH PREJUDICE**.

IT IS FURHTER ORDERED that, based upon the Court's review of Plaintiff's Complaint, Plaintiff's federal claims against Kristin Kobb and Mayland Johnson are **DISMISSED WITH PREJUDICE**, and Plaintiff's state law claims against Kristin Kobb and Mayland Johnson are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1367(c)(3).

Judgment shall be entered accordingly, dismissing this matter in its entirety.

Signed in Baton Rouge, Louisiana, on February 6, 2024.



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