

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

BRIAN DIETRICH

CIVIL ACTION

VERSUS

STATE OF LOUISIANA

NO. 23-00503-BAJ-SDJ

RULING AND ORDER

Plaintiff, an inmate confined at the Louisiana State Penitentiary, filed this proceeding pursuant to 42 U.S.C. § 1983 against the State of Louisiana, complaining that his continued confinement based on a non-unanimous jury verdict violates his constitutional rights. Plaintiff requests monetary and injunctive relief. (Doc. 1). Pursuant to the screening requirements of 28 U.S.C. § 1915A, the Magistrate Judge has now issued a **Report and Recommendation** (Doc. 4, the “**Report**”), recommending that Plaintiff’s federal constitutional claims be dismissed, with prejudice, for failure to state a claim upon which relief may be granted, and further recommending that the Court decline to exercise supplemental jurisdiction over Plaintiff’s potential state law claims, to the extent any such claims exist. (*Id.*). Plaintiff’s deadline to object to the Report has passed, without any objection from Plaintiff.

Having carefully considered the operative Complaint and related filings, the Court **APPROVES** the Report and **ADOPTS** it as the Court’s opinion in this matter.

Accordingly,

**IT IS ORDERED** that Plaintiff’s federal constitutional claims be and are

hereby **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. § 1915A for failure to state a claim upon which relief may be granted.

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

Judgment shall issue separately.

Baton Rouge, Louisiana, this 4<sup>th</sup> day of June, 2024



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