

UNITED STATES DISTRICT COURT**MIDDLE DISTRICT OF LOUISIANA****JULIO MELENDEZ (#118533)****CIVIL ACTION NO.****VERSUS****23-729-JWD-EWD****STATE OF LOUISIANA****OPINION**

After independently reviewing the entire record in this case and for the reasons set forth in the Magistrate Judge's Report dated January 3, 2024 (Doc. 4), to which an objection was filed and considered (Doc. 6),

IT IS ORDERED that this action shall be **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 The Court declines the exercise of supplemental jurisdiction over any potential state law claims.

Judgment shall be entered accordingly.

Signed in Baton Rouge, Louisiana, on February 7, 2024.



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.” Should this Report and Recommendation be adopted, the ruling will count as a strike.