

U. S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

JEBURNON WILLIAMS

CIVIL ACTION NO. 08-1197-A

-vs-

JUDGE DRELL

HOUSING AUTHORITY OF
RAPIDES PARISH, et al.

MAGISTRATE JUDGE KIRK

JUDGMENT

Before the Court is the Magistrate Judge's Report and Recommendation suggesting Plaintiff's consortium claim and Plaintiff's claims under La. R.S. 23:967 be dismissed for failing to state a claim upon which relief can be granted and lack of jurisdiction, respectively. (Document No. 13.) After reviewing the entire file in this matter, including the written objections, and concurring in part with the Magistrate Judge's findings under the applicable law, this Court adopts the Magistrate Judge's Report and Recommendation, subject to the following modification: because the Court lacks jurisdiction over Plaintiff's claims under La. R.S. 23:967, those claims must be remanded, not dismissed. Accordingly,

IT IS ORDERED that Plaintiff's consortium claim is DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED that Plaintiff's "whistleblower" claim under La. R.S. 23:967 is REMANDED to the Ninth Judicial District Court for the Parish of Rapides, Louisiana.

IT IS FURTHER ORDERED that Plaintiff's request for stay is DENIED.

SIGNED on this ⁷29 day of January, 2009, at Alexandria, Louisiana.

A handwritten signature in black ink, appearing to read "Dee D. Drell", written over a horizontal line.

DEE D. DRELL
UNITED STATES DISTRICT JUDGE