RECEIVED FEB 1 2 2010 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

CLIFFORD E. CARLOCK

VERSUS

DOCKET NO. 09-CV-1573; SEC. P

JUDGE DEE D. DRELL

RAPIDES PARISH SHERIFF'S DEPARTMENT, ET AL.

MAGISTRATE JUDGE JAMES D. KIRK

## JUDGMENT

For the reasons contained in the Report and Recommendation of the Magistrate Judge filed previously herein, noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED THAT Petitioner's civil rights complaint be and is hereby **DENIED** and **DISMISSED WITH PREJUDICE** as frivolous and failing to state a claim for which relief can be granted pursuant to 28 U.S.C. §1915(e)(2)(b), <u>except for Plaintiff's</u>

Eighth Amendment claim against Officers Cutts and Jones.

THUS DONE AND SIGNED, at Alexandria, Louisiana, this // `day of February, 2010.

DEE D. DRELL UNITED STATES DISTRICT JUDGE