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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

HENRY KIMBALL : DOCKET NO. 10-688
VS. : JUDGE TRIMBLE
TIM WILKINSON, ET AL : MAGISTRATE JUDGE KIRK

JUDGMENT

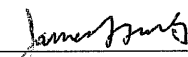
For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, and after independent (de novo) review of the record including the objections filed herein, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED, ADJUDGED AND DECREED that defendants' motion to dismiss (Doc. 54) Kimball's claims against defendants in their official capacities for monetary damages is GRANTED.

IT IS FURTHER ORDERED that defendants' motion to dismiss (Doc. 54) Kimball's claims against defendants in their official capacities for injunctive relief is DENIED.

IT IS FURTHER ORDERED that defendants' motion to dismiss (Doc 54) Kimball's claims against defendants in their individual capacities for failure to state a claim for use of excessive force is DENIED.

THUS ORDERED AND SIGNED at Alexandria, Louisiana this 12th day of January, 2012.



JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT JUDGE