UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

DEBI TULLIS BELL — CIVIL ACTION NO. 10-789

-vs- — JUDGE DRELL

BARBARA WATKINS, et al. — MAGISTRATE JUDGE KIRK

JUDGMENT

For the reasons contained in the Report and Recommendation (Doc. 24) of the Magistrate Judge, and after independent (de novo) review of the record including the objections filed herein, and concurring with the Magistrate Judge's findings under the applicable law;

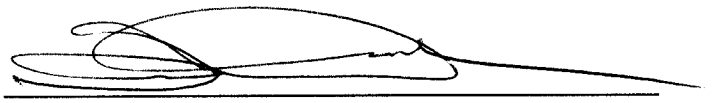
IT IS ORDERED that Defendant's Motion to Dismiss and, in the alternative, for Summary Judgment (Doc. 20) is GRANTED and Plaintiff's claims are DISMISSED with PREJUDICE.

In so doing, we note the content of Plaintiff's objections styled "Motion to Appeal Judge Kirk's Granting of Summary Judgment." (Doc. 25). Plaintiff insists we consider four points as "material facts" warranting a denial of summary judgment. However, the facts raised by Plaintiff do not cure the procedural defects of her claims. Plaintiff failed to exhaust her administrative remedies, and she has not met the threshold requirements to survive a motion to dismiss. We also note Plaintiff's reference to a ruling by this Court of March 31, 2011 which pertained to her now

closed suit against Dr. Shivani Negi, et al. (Record Docket No. 10-794); such document is not relevant to the present matter.

Accordingly, Defendant's Motion to Dismiss (Doc. 20) is GRANTED and Plaintiff's claims are DISMISSED with PREJUDICE.

SIGNED on this 16 day of November, 2012 at Alexandria, Louisiana.



DEE D. DRELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT