

**RECEIVED**JAN - 8 2013 *js*TONY R. MOORE, CLERK  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA, LOUISIANAUNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

MCKINLEY DOYLE (#81084)

DOCKET NO. 12-CV-1275; SEC. P

VERSUS

JUDGE JAMES T. TRIMBLE, JR.

DEPT. OF CORRECTIONS

MAGISTRATE JUDGE JAMES D. KIRK

J U D G M E N T

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

IT IS ORDERED that Plaintiff's claims be and are hereby DENIED and DISMISSED WITH PREJUDICE for failure to state a claim for which relief can be granted, pursuant to 28 U.S.C. §1915(e)(2)(b), although Plaintiff may file a claim for monetary damages if and when the Heck conditions are satisfied.

The Clerk of Court is instructed to send a copy of this Judgment to the keeper of the three strikes list in Tyler, Texas.

THUS DONE AND SIGNED at Alexandria, Louisiana, this 8<sup>th</sup> day of January, 2013.

*James T. Trimble, Jr.*  
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JAMES T. TRIMBLE, JR.  
UNITED STATES DISTRICT JUDGE