

FEB - 7 2017

TONY R. MOORE, CLERK
BY: MB
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

CLARENCE DABNEY

CIV. ACT. NO. 13-3305

-vs-

JUDGE DRELL

ROBERT CLEVELAND and
GILDA NICHOLSON

MAG. JUDGE PEREZ-MONTES

J U D G M E N T

Before the court is the Report and Recommendation of the Magistrate Judge, previously filed in the above-captioned civil rights suit. Doc. 136. Having reviewed the entire record in this case de novo, noting no objections to the Report and Recommendation at issue, and finding that the proposed findings of the Report and Recommendation are correct under all applicable law and jurisprudence, it is hereby

ORDERED, ADJUDGED and DECREED that defendants' Motion to Dismiss (Doc. 117) is **GRANTED** in part and **DENIED** in part, such that plaintiff's federal and state law claims against defendants in their official capacities are hereby **DENIED** and **DISMISSED** without prejudice. Plaintiff's existing federal and state law claims against defendants in their individual capacities are preserved for further proceedings.

THUS DONE AND SIGNED at Alexandria, Louisiana this 6th day of February, 2017.


DEE D. DRELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT