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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

ANTHONY C. PITRE
LA. DOC # 475323

CIVIL ACTION NO. 08-1894
SECTION P

VS.

JUDGE MINALDI

NATHAN CAIN, ET AL.


MAGISTRATE JUDGE KAY

J U D G M E N T

For the reasons stated in the Report and Recommendation and the Supplemental Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record including the objections filed by petitioner,¹ and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED THAT plaintiff's civil rights complaint and his requests for monetary and injunctive relief be **DISMISSED WITH PREJUDICE** as frivolous in accordance with the provisions of 28 U.S.C. §1915(e)(2)(B).

THUS DONE AND SIGNED, in chambers, in Lake Charles, Louisiana, on this 26 day of May, 2009.



PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE

¹Plaintiff filed a Motion to Amend/Supplement Complaint within the time allowed to submit objections to the magistrate judge's Report and Recommendation. Doc. 8. The Motion to Amend seeks to allow plaintiff the opportunity to supplement his complaint with information that he has been transferred to a new facility where he received hospital treatment and is now assigned a light duty status. *Id.* Given the procedural posture of this matter, the court construes the Motion as an objection to the Report and Recommendation of the magistrate [doc. 7].