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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

DAMEON DALEY,

Plaintiff,

v.

J. MICIELI, ET AL.,

Defendant.

* CIVIL ACTION NO. 2:11-cv-2010

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* JUDGE MINALDI

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* MAGISTRATE JUDGE KAY

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JUDGMENT

For the reasons stated in the Report and Recommendation [Doc. 14] of the Magistrate Judge previously filed herein, after an independent review of the record, a *de novo* determination of the issues, and having determined that the findings of the Magistrate Judge, as amended in the accompanying Memorandum Ruling, are correct under applicable law,

IT IS ORDERED that the Report and Recommendation [Doc. 14] is **AMENDED, IN PART**, and as amended, **AFFRIMED**.

IT IS FURTHER ORDRED that all of Daley's claims, except the claim for violation of his Eighth Amendment rights arising of failure to adequately clothe him, be and hereby are **DISMISSED, WITH PREJUDICE**, as frivolous and for failure to state a claim in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i) and (ii).

Lake Charles, Louisiana, this 11 day of November, 2014.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE