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WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA, LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

## LAKE CHARLES DIVISION

DARTANYAN KIETCHEL BREAUX

CIVIL ACTION NO. 2: 12-cv-697

VS.

SECTION P

SHERIFF OF CALCASIEU PARISH

JUDGE TRIMBLE  
MAGISTRATE JUDGE KAY**JUDGMENT**

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

**IT IS ORDERED** that plaintiff's civil rights action is **DISMISSED WITH PREJUDICE**, as time-barred, and therefore, it is frivolous as a matter of law and fails to state a claim for which relief may be granted. 28 U.S.C. 1915A(b)(1) and 28 U.S.C. § 1915(e)(2)(B).

**IT IS FURTHER ORDERED** that the Clerk shall provide a copy of this order by regular mail, facsimile transmission, or e-mail to: (1) the District Clerk for the Eastern District of Texas, Tyler Division, 211 West Ferguson, Tyler, Texas, 75702, Attention: Ms. Betty Parker.

**THUS DONE AND SIGNED**, in chambers, in Lake Charles, Louisiana, on this the

15<sup>th</sup> day of February, 2013.

  
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JAMES T. TRIMBLE, JR.  
UNITED STATES DISTRICT JUDGE