

RECEIVED

FEB 15 2013

TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA, LOUISIANAUNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

ROCKY BOURG
DOC #54443CIVIL ACTION NO. 12-943
SECTION PVS.
JERRY JOHNSON

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 a *de novo* determination of the issues, and consideration of the objections filed herein, and having determined that the findings are correct under applicable law;

IT IS ORDERED that plaintiff's civil rights action is **DISMISSED WITH PREJUDICE**, as frivolous and for failing to state a claim on which relief may be granted pursuant to the provisions of 28 U.S.C.1915A(b)(1) and 28 U.S.C. § 1915(e)(2)(B)(i) and (ii).

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 at Lake Charles, Louisiana, this 15th
day of February, 2013.



JUDGE JAMES T. TRIMBLE, JR.
UNITED STATE DISTRICT JUDGE