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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

JOSEPH HOWARD ORTKIESE  
BOP #16717-075

CIVIL ACTION NO. 2:14-cv-861  
SECTION P

VERSUS

JUDGE TRIMBLE

JAMES B. MCCARTY, ET AL

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 frivolous and for failing to state a claim on which relief may be granted pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i) and (ii).

**IT IS ALSO 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 2<sup>nd</sup> day of July, 2015.

  
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**JAMES T. TRIMBLE, JR.**  
**UNITED STATES DISTRICT JUDGE**