

SEP 18 2017

TONY R. MOORE, CLERK
BY: MS
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

DERLON K. CRAIN
D.O.C. # 91405

v.

TONY MANCUSO ET AL.

* CIVIL ACTION NO. 2:15-CV-2290
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* UNASSIGNED DISTRICT JUDGE
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* MAGISTRATE JUDGE KAY
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JUDGMENT

For the reasons stated in the Report and Recommendation (Rec. Doc. 84) of the Magistrate Judge previously filed herein, after an independent review of the record, a *de novo* determination of the issues, noting the absence of any objections, and determining that the findings are correct under applicable law,

IT IS ORDERED that the plaintiff's claims against defendant Calcasieu Parish Prison are **DISMISSED WITH PREJUDICE** for failure to state a claim on which relief may be granted under 28 U.S.C. § 1915(e)(2)(B)(ii), in accordance with the Report and Recommendation of the Magistrate Judge. The defendant Calcasieu Parish Prison is hereby dismissed from the suit.

IT IS FURTHER ORDERED that the plaintiff's claims against Warden Creed and Warden Bordelon are **DISMISSED WITHOUT PREJUDICE** for failure to prosecute under Local Rule 41.3, in accordance with the Report and Recommendation of the Magistrate Judge. These defendants are hereby dismissed from the suit.

Alexandria, Louisiana, this 18th day of September, 2017.


DEE D. DRELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT