

**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF LOUISIANA**  
**MONROE DIVISION**

**MARK HANNA**  
**LA. DOC #132872**

**CIVIL ACTION NO. 3:10-cv-1059**

**VERSUS**

**SECTION P**

**MARK SHUMATE, ET AL.**

**JUDGE ROBERT G. JAMES**

**MAG. JUDGE KAREN L. HAYES**

**RULING**

Pending before the Court is a civil rights complaint filed pursuant to 42 U.S.C. §1983 by *pro se* Plaintiff Mark Hanna. On September 22, 2010, Magistrate Judge Karen L. Hayes issued a Report and Recommendation [Doc. No. 11] in which she recommended that the Court dismiss some of Plaintiff's claims as frivolous and for failing to state a claim as a matter of law. She found that Plaintiff's excessive force claim survived initial review and ordered that Defendants Turner, "Roe," Sheriff Shumate, Warden Jones, and Assistant Warden Shaw be served.

On November 9, November 10, and December 1, 2010, Plaintiff filed objections [Doc. Nos. 22, 26 & 33] to the Report and Recommendation, although Plaintiff's November 10 and December 1 objections appear to be the same in substance.<sup>1</sup>

Having fully considered the record in this matter, including Plaintiff's objections, the Court agrees with and ADOPTS the Magistrate Judge's Report and Recommendation. The Court issues this Ruling to address Plaintiff's objections.

Plaintiff contends that he properly asserted claims against East Carroll Detention Center and

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<sup>1</sup>The December 1, 2010 objections appear to be a typewritten version of the handwritten November 10, 2010 objections.

River Bend Detention Center and that the Magistrate Judge has improperly recommended dismissal of these Defendants as non-juridical entities. First, even if East Carroll Detention Center were a proper Defendant in this matter, Plaintiff's remaining excessive force claim occurred at River Bend Detention Center, and, thus, Plaintiff has no claim against East Carroll Detention Center. Second, Plaintiff relies on inapplicable authority to assert that he can bring suit against these two detention centers. Neither East Carroll Detention Center nor River Bend Detention Center is a juridical entity. These are merely the names of correctional institutions where Plaintiff was incarcerated. Finally, the Court notes that the Magistrate Judge did not recommend dismissal of the claims against East Carroll Detention Center on this basis, but the Court finds that this detention center is also subject to dismissal as a non-juridical entity.

MONROE, LOUISIANA, this 14th day of December, 2010.

  
ROBERT G. JAMES  
UNITED STATES DISTRICT JUDGE