

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

TOMMIE RICE AND PHYLLIS RICE	*	CIVIL ACTION NO. 13-0362
ON BEHALF OF THE MINORS, CIR		
AND GMR		
VERSUS	*	JUDGE ROBERT G. JAMES
CORNERSTONE HOSPITAL OF	*	MAG. JUDGE KAREN L. HAYES
WEST MONROE		

ORDER

The Report and Recommendation of the Magistrate Judge having been considered, together with the written objections thereto filed with this Court, and, after a *de novo* review of the record, finding that the Magistrate Judge's Report and Recommendation is correct,

IT IS ORDERED that Defendant Cornerstone Hospital of West Monroe's ("Cornerstone") converted "Motion to Dismiss Under F.R.C.P.12(b)" [Doc. No. 8], is GRANTED IN PART and DENIED IN PART. To the extent that Cornerstone moves for dismissal pursuant to Rule 12(b)(6), the motion is GRANTED, and Tommie Rice and Phyllis Rice are hereby DISMISSED from the case. To the extent that Cornerstone moves for dismissal pursuant to Rule 12(b)(7) for failure to join a party, the motion is DENIED.

IT IS FURTHER ORDERED that the Clerk of Court serve, via certified mail, a copy of the petition, the instant Report and Recommendation [Doc. No. 22], and the resulting order upon Candice Rouso, at 575 Pine Snag Road, Heber Springs, AR 72543.

IT IS FURTHER ORDERED that Candice Rouso appear and join in this matter as Plaintiff (via existing counsel or counsel of her own choosing), on behalf of the minors, CIR and GMR, no later than August 5, 2013. If, within the same period, Candice Rouso declines to join

in this matter, then she may show cause, in writing, why the Court should not appoint Tommie Rice, or some other qualified person, as next friend to prosecute this matter on behalf of the minors.

MONROE, LOUISIANA, this 11th day of July, 2013.


ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE