

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

**GILBERT BURKE**

**CIVIL ACTION NO. 13-2154**

**VERSUS**

**JUDGE ROBERT G. JAMES**

**SHERIFF LARRY G. COX, ET AL.**

**MAG. JUDGE KAREN L. HAYES**

**J U D G M E N T**

The Report and Recommendation of the Magistrate Judge having been considered, no objections thereto having been filed, and finding that same is supported by the law and the record in this matter,

IT IS ORDERED that the oral motion for judgment on partial findings (incorrectly styled as a “motion for judgment as a matter of law”) [Doc. No. 29] filed by Defendants Sheriff Larry Cox, Major Antonio Johnson, and Captain McCloud is hereby DENIED.

IT IS FURTHER ORDERED that Plaintiff Gilbert Burke’s motion for copies of video footage [Doc. No. 30] is DENIED.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff Gilbert Burke’s claims against Defendants Sheriff Larry Cox, Major Antonio Johnson, and Captain McCloud are hereby DISMISSED WITHOUT PREJUDICE on the merits, but DISMISSED WITH PREJUDICE for purposes of proceeding in forma pauperis pursuant to 28 U.S.C. § 1915(d).

IT IS FURTHER ORDERED that Plaintiff Gilbert Burke’s motion for appointment of counsel and request for transfer with associated complaints of retaliation [Doc. No. 34] is hereby DENIED.

MONROE, LOUISIANA, this 6<sup>th</sup> day of November, 2014.

  
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ROBERT G. JAMES  
UNITED STATES DISTRICT JUDGE