

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

**NICHOLAS BATISTE  
LA. DOC #540249**

**CIVIL ACTION NO. 15-1878  
SECTION P**

**VERSUS**

**JUDGE ROBERT G. JAMES**

**MIKE TUBBS, ET AL.**

**MAGISTRATE JUDGE KAREN L. HAYES**

**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, determining that the findings are correct under the applicable law, and considering the objections to the Report and Recommendation in the record,

**IT IS ORDERED, ADJUDGED, AND DECREED** that Plaintiff's civil rights Complaint be **DISMISSED WITH PREJUDICE** as frivolous and for failing to state a claim for which relief may be granted in accordance with the provisions of 28 U.S.C. §§ 1915(e)(2)(B) and 1915A.

**The Clerk of Court is instructed to send a copy of this Order/Judgment to the keeper of the Three Strikes List in Tyler, Texas.**

**MONROE, LOUISIANA**, this 21<sup>st</sup> day of October, 2015.

  
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**ROBERT G. JAMES**  
**UNITED STATES DISTRICT JUDGE**