

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

**THE ESTATE OF JESSE CLARENCE BROWN, SR.** \* **CIVIL ACTION NO. 17-1486**  
**VERSUS** \* **JUDGE TERRY A. DOUGHTY**  
**NEW YORK LIFE INSURANCE COMPANY, ET AL.** \* **MAG. JUDGE KAREN L. HAYES**

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

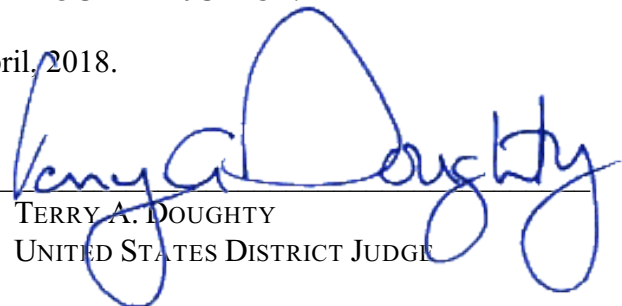
The Report and Recommendation of the Magistrate Judge having been considered, together with the written objections thereto filed with this Court, and, after a de novo review of the record, finding that the Magistrate Judge's Report and Recommendation is correct,

IT IS ORDERED that the motion to remand [Doc. No. 7] filed by Plaintiffs, the heirs of the Estate of Jesse Clarence Brown, Sr., is DENIED.

IT IS FURTHER ORDERED that the motion to dismiss for failure to state a claim upon which relief can be granted [Doc. No. 10] filed by Defendant Jim Donelon, in his capacity as Commissioner of Insurance, is DENIED.

IT IS FURTHER ORDERED that Plaintiffs' claims against Jim Donelon, in his capacity as Commissioner of Insurance, are DISMISSED WITHOUT PREJUDICE.

MONROE, LOUISIANA, this 3<sup>rd</sup> day of April, 2018.

  
TERRY A. DOUGHTY  
UNITED STATES DISTRICT JUDGE