

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

JOSHUA JAMICHAEL VANBUREN

CIVIL ACTION NO. 19-1153

VS.

SECTION P

JUDGE TERRY A. DOUGHTY

DOUG WALKER, ET AL.

MAG. JUDGE KAREN L. HAYES

JUDGMENT

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 and that judgment as recommended therein is warranted,

IT IS ORDERED, ADJUDGED, AND DECREED that the following claims, raised by Plaintiff Joshua Jamichael VanBuren, are **DISMISSED WITH PREJUDICE** as duplicative, frivolous, and malicious: (1) that Officer Jody Ledoux arrested him without probable cause; (2) that District Attorney Nick Anderson filed a bill of information against him without probable cause; and (3) that Assistant District Attorney Daniel Hunter filed a bill of information against him without probable cause.

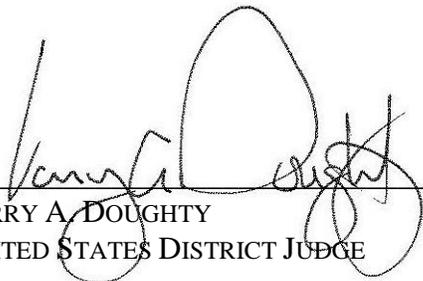
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff's claim that Officer Paul Blunski falsely arrested him for attempted second-degree murder is **DISMISSED WITHOUT PREJUDICE** to Plaintiff's right to prosecute his pending, duplicative appeal. The claim should otherwise be **DISMISSED WITH PREJUDICE** as duplicative, frivolous, and malicious.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff's claim

that Assistant District Attorney Doug Walker placed him on pre-trial diversion without probable cause, along with his associated requests for monetary damages, is **DISMISSED WITH PREJUDICE** as frivolous, for failing to state a claim on which relief may be granted, and for seeking monetary relief against a defendant immune from such relief.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff's request to terminate his pre-trial diversion agreement, in connection with his claim that Assistant District Attorney Doug Walker placed him on pre-trial diversion without probable cause, is **DISMISSED WITH PREJUDICE** as frivolous until the *Heck* conditions are met.

MONROE, LOUISIANA, this 10th day of October, 2019.



TERRY A. DOUGHTY
UNITED STATES DISTRICT JUDGE