

U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION

WANNETTA KEELS

CIVIL ACTION NO: 11-1281

VERSUS

JUDGE DONALD E. WALTER

LOUISIANA STATE UNIVERSITY  
HEALTH SCIENCES CENTER, ET AL.

MAGISTRATE JUDGE HORNSBY

**ORDER**

Before the Court is a Motion for Summary Judgment [Doc. #54] filed by the Defendants, Board of Supervisors of Louisiana State University & Agricultural & Mechanical College d/b/a Louisiana State University Health Science Center - Shreveport, and Joseph Miciotto in his official capacity as the Hospital Administrator. Plaintiff, Wannetta Keels, opposes the motion. [Doc. #57].

Upon due consideration, Defendants' Motion for Summary Judgment [Doc. #54] is hereby **GRANTED IN PART AND DENIED IN PART**. Plaintiff's claim that "because Defendants have a policy, pattern and practice to deny Black employees equal protection under the law, Defendants have willfully violated Keels' constitutional rights in violation of [42 U.S.C.] 1983" is hereby **DISMISSED WITH PREJUDICE**. A pattern or practice case is not a free-standing cause of action for an individual non-class plaintiff. *Celestine v. Petroleos de Venezuela SA*, 266 F.3d 343, 355-56 (5th Cir. 2001); *Frank v. Xerox Corp.*, 347 F.3d 130, 136 (5th Cir. 2008). Genuine disputes of material fact exist as to Plaintiff's remaining claims.

THUS DONE AND SIGNED, this 13 day of December, 2012.

  
DONALD E. WALTER  
UNITED STATES DISTRICT JUDGE