

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

JASON WENK

CIVIL ACTION NO. 12-2847-P

VERSUS

JUDGE S. MAURICE HICKS, JR.

PARISH OF BOSSIER, ET AL.

MAGISTRATE JUDGE HORNSBY

ORDER

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, including written objections filed by Plaintiff (Record Document 25 at 2-3), and determining that the findings are correct under the applicable law;

IT IS ORDERED Plaintiff's civil rights claims against the State of Louisiana and the Louisiana Department of Public Safety and Corrections be **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction.

IT IS FURTHER ORDERED that Plaintiff's civil rights claims regarding the administrative remedy procedure, threats, and property be **DISMISSED WITH PREJUDICE** as frivolous under 28 U.S.C. § 1915(e).

Plaintiff's claims regarding inadequate food temperatures, lack of religious gatherings, lack of outdoor recreation, unsanitary conditions, faulty plumbing and inadequate maintenance, excessive noise, improper ventilation and air system, and breach of contract and equal protection violations remain pending at this time.

THUS DONE AND SIGNED, in chambers, in Shreveport, Louisiana, on this 28th day of August, 2013.



S. MAURICE HICKS, JR.
UNITED STATES DISTRICT JUDGE