

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

CALVIN WAYNE HORTON

CIVIL ACTION NO. 16-262-P

VERSUS

JUDGE S. MAURICE HICKS, JR.

JAMES LEBLANC, ET AL.

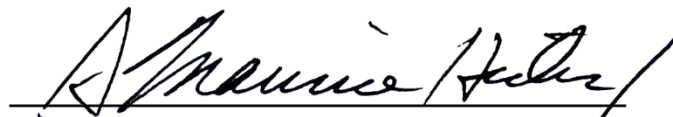
MAGISTRATE JUDGE HORNSBY

**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, including written objections filed by Plaintiff, and determining that the findings are correct under the applicable law, noting additionally with regard to the Plaintiff's claim of a false disciplinary report, he did not allege that he did not have an adequate opportunity to defend against the charges<sup>1</sup> ("There is no due process violation if a prisoner is falsely accused of charges if the prisoner is given an adequate state procedural remedy to challenge the accusations." Williams v. McWilliams, 20 F.3d 465 (5th Cir. 2994));

**IT IS ORDERED** that Plaintiff's civil rights complaint is **DISMISSED WITH PREJUDICE** as frivolous under 28 U.S.C. § 1915(e). The Clerk of Court is instructed to send a copy of this Judgment to the keeper of the Three Strikes List in Tyler, Texas.

**THUS DONE AND SIGNED**, in Shreveport, Louisiana, on this 27th day of February, 2019.

  
S. MAURICE HICKS, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT

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<sup>1</sup>See Record Document 10 (where the Plaintiff only alleged that he was "discriminatorily treated during the disciplinary Court proceedings by **inmate counsel**. . .") (emphasis added) .