

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

MICHAEL DURBIN

CIVIL ACTION NO. 16-0693-P

VERSUS

JUDGE ELIZABETH ERNY FOOTE

OFFICE OF THE 26TH JDC
DISTRICT ATTORNEY, ET AL

MAGISTRATE JUDGE HAYES

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, determining that the findings are correct under the applicable law, and noting the absence of objections to the Report and Recommendation in the record;

IT IS ORDERED that plaintiff's complaint be **DISMISSED WITHOUT PREJUDICE** for failure to prosecute, pursuant to FRCP Rule 41(b) and LR41.3W.

THUS DONE AND SIGNED in Shreveport, Louisiana, this 5th day of
December, 2016.

Hayes

Elizabeth Erny Foote
United States District Judge

[Signature]