

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

CARLOS MARTEL LYNN SMITH

CIVIL ACTION NO. 17-86-P

VERSUS

JUDGE FOOTE

AMANDA SPIVEY, ET. AL

MAGISTRATE JUDGE HORNSBY

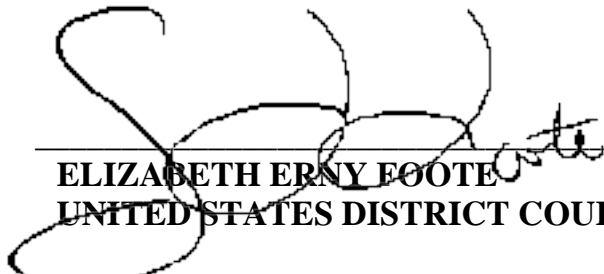
JUDGMENT

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;

IT IS ORDERED that Plaintiff's civil rights claims against the State of Louisiana, John Bel Edwards, and James M. LeBlanc be **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction and Plaintiff's civil rights claims against the remaining Defendants seeking monetary damages for his allegedly unconstitutional parole revocation and sentence be **DISMISSED WITH PREJUDICE** as frivolous under 28 U.S.C. § 1915(e) until such time as the Heck conditions are met.

IT IS FURTHER ORDERED that Plaintiff's motion for preliminary injunction [Doc. 21], motion for leave time [Doc. 22], motion for settlement [Doc. 23], motion for appointment of counsel [Doc. 24], and second motion for settlement [Doc. 25] be **DENIED**.

THUS DONE AND SIGNED, in chambers, in Shreveport, Louisiana, on this 19th day of March, 2020.



ELIZABETH ERNY FOOTE
UNITED STATES DISTRICT COURT