

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

BILL RINGBAUER, ET AL. * **CIVIL ACTION NO. 08-0115**
VERSUS * **JUDGE MELANÇON**
SID HEBERT, ET AL. * **MAGISTRATE JUDGE HILL**

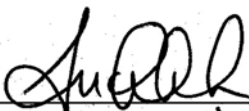
JUDGMENT

This matter was referred to United States Magistrate Judge C. Michael Hill for Report and Recommendation. After an independent review of the record, including the objections filed herein, this Court concludes that the Report and Recommendation of the Magistrate Judge is correct and adopts the findings and conclusions therein as its own.

Accordingly, **IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the Motion to Dismiss [rec. doc. 48] is **DENIED IN PART AND GRANTED IN PART** as delineated below:

- 1) the motion is **GRANTED** on the official capacity claims against the Deputies, and those claims are **DISMISSED WITHOUT PREJUDICE**;
- 2) the motion is **DENIED** on the official capacity claim against Sheriff Hebert; and
- 3) the motion is **DENIED** on the individual capacity claims against the Deputies.

Lafayette, Louisiana, this 4th day of September 2009.



Tucker L. Melançon
UNITED STATES DISTRICT JUDGE