

APR 02 2014

TONY F. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

BRANDON SCOTT LAVERGNE
LA. DOC #424229
VERSUS

CIVIL ACTION NO. 6:14-0185

SECTION P

JUDGE HAIK

JIMMY C. PETERS, ET AL

MAGISTRATE JUDGE HILL

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 considering the objections to the Report and Recommendation in the record, *R. 13*;

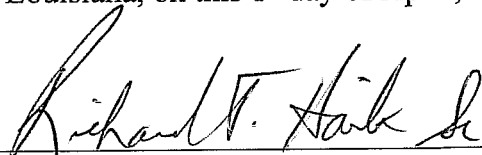
IT IS ORDERED that Lavergne's civil rights complaint be **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. §1915(e)(2)(B)(ii) and (iii) for failure to state a claim upon which relief can be granted because Appellate Judges Peters, Ezell and Painter and Clerk of Court McNeely are immune from suit for monetary damages.

IT IS FURTHER ORDERED that Lavergne's claims for injunctive relief be **DISMISSED WITH PREJUDICE** for failing to state a claim upon which relief can be granted.

IT IS FURTHER ORDERED that Lavergne's claims under Louisiana State law, if any, be **DISMISSED WITHOUT PREJUDICE**.

The Clerk of Court is directed to send a copy of this Judgment to the Keeper of the Three Strikes List, Tyler, Texas.

THUS DONE AND SIGNED in Lafayette, Louisiana, on this 1st day of April, 2014.


RICHARD T. HAIK, SR.

UNITED STATES DISTRICT JUDGE