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MAY 20 2015

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

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

MATTIE AMOS, ET AL

CIVIL ACTION 14-cv-2344

VERSUS

JUDGE DOHERTY

RODNEY JOINER, ET AL

MAGISTRATE JUDGE HANNA

JUDGMENT

Two dispositive motions have been filed in this matter by Defendant Jessica Primeaux [Rec. Docs. 30, 57]. Other filings by Plaintiff Mattie Amos include the “Petition for Damages, Amended Petition to Add Plaintiffs and Defendants Utilizing Retroback Law, Motion for Discovery, Motion to Show Cause why Defendants are not Required to Respond to Petition as Required by Law, Motion to Compel this Honorable Court to Render Default Judgment for Defendants Failure to File a Response as Required by Law, Relief Sought, Introduction of Prior Bad Acts, and Request for Appearance before the Grand Jury.” [Rec. Docs. 54-55]. A separate motion for trial by jury has also been filed by Mattie Amos. [Rec. Doc. 56]. All motions were referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation. After an independent review of the record, and absent any objections lodged, this Court concludes that the Magistrate Judge’s report and recommendation [Rec. Doc. 61] is correct and adopts the findings and conclusions therein as its own. Accordingly,

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Rule 12(b)(6) motion by Jessica Primeaux[Rec. Doc. 30] is GRANTED, and all claims against Jessica Primeaux by Mattie Amos and Madilyn Powell are DISMISSED, WITH PREJUDICE;

IT IS FURTHER ORDERED that the motions of Mattie Amos to Amend “Petition to Add Plaintiffs and Defendants Utilizing Retroback Law, Motion for Discovery, Motion to Show Cause why Defendants are not Required to Respond to Petition as Required by Law, Motion to Compel this Honorable Court to Render Default Judgment for Defendants Failure to File a Response as Required by Law, Relief Sought, Introduction of Prior Bad Acts, and Request for Appearance before the Grand Jury” [Rec. Docs. 54, 55] are DENIED.

IT IS FURTHER ORDERED that to the extent any claims exist for the other plaintiffs named in the original complaint besides Mattie Amos and Madilyn Powell, specifically, Shawn Powell, August Powell, and Derrick Harris, those claims are DISMISSED WITHOUT PREJUDICE;

IT IS FURTHER ORDERED that Mattie Amos shall file a motion to amend the complaint within 30 days to state:

- A. Only the claims of Mattie Amos against Rodney Joiner and International Fidelity Insurance Company - specifically what these defendants allegedly did to her and her alone;

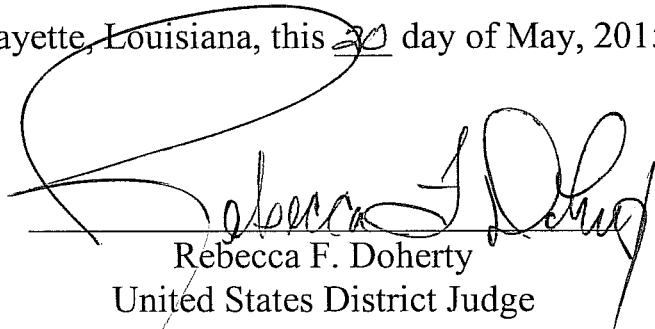
B. The basis of the court's jurisdiction, i.e. whether Joiner is a state actor and she seeks relief under a federal statute, or she sets forth the citizenship of herself, Mr. Joiner and the state of incorporation of International Fidelity AND its principal place of business and a GOOD FAITH estimate of the amount she claims is in controversy.

IT IS FURTHER ORDERED that the Clerk of Court provide a copy of Fed.R.Civ.

P. 11 to Ms. Amos, who is hereby ORDERED to comply with its terms in filing any future pleadings;

IT IS FURTHER ORDERED that the plaintiff's motion for trial by jury [Rec. Doc. 56] is DENIED without prejudice to her right to request same in the motion to amend set forth above.

Signed at Lafayette, Louisiana, this ~~20~~ day of May, 2015.



Rebecca F. Doherty
United States District Judge

COPY SENT _____
DATE 5-21-15
BY cg
TO Mattie Amos w/copy of
F.R.C.P. Rule 11