

MAY 05 2017

TONY R. MOORE, CLERK
BY [Signature] DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

BENNETT CHOATE

CIVIL ACTION NO. 6:16-CV-01370

VERSUS

JUDGE DOHERTY

CITY OF ABBEVILLE

MAGISTRATE JUDGE HANNA

JUDGMENT

This matter was referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own. Accordingly,

IT IS ORDERED, ADJUDGED, AND DECREED that the defendant's motion to dismiss penalty, punitive, or exemplary damages (Rec. Doc. 9) is **GRANTED**, and the plaintiff's claims for punitive damages under state and federal law are **DISMISSED**, consistent with the report and recommendation.

Signed at Lafayette, Louisiana, this 5th day of May, 2017.

[Signature]
REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE