

NOT DESIGNATED FOR PUBLICATION

STATE OF LOUISIANA

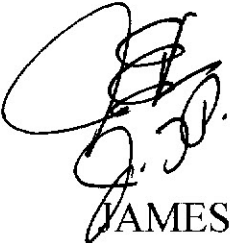

COURT OF APPEAL

FIRST CIRCUIT

2010 CA 0332

MICHEL DIXON

VERSUS



JAMES LA'BLANC, SECRETARY LOUISIANA DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONS; LOUISIANA
CORRECTION SERVICES; RICHARD DEVILLE, CALDWELL
DETENTION CENTER, DELANA BECKLEY, SOUTH LOUISIANA
CORRECTIONAL CENTER, WARDEN DREW, J.B. EVANS
CORRECTIONAL CENTER, SHIRLEY PALETTE; LA'SALLE
CORRECTIONAL CORPORATION; LEROY HOLLIDAY,
CATAHOULA CORRECTIONAL CENTER, PAT BOOKS,
RICHWOOD CORRECTIONAL CENTER, CLOVIS TILLERY, RIVER
CORRECTIONAL CENTER, RICHARD SPINNER.

DATE OF JUDGMENT: SEP 10 2010

ON APPEAL FROM THE NINETEENTH JUDICIAL DISTRICT COURT
NUMBER 582,620, SECTION 26, PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

HONORABLE KAY BATES , JUDGE

Michel Dixon
Pine Prairie, Louisiana

Plaintiff-Appellant
Pro Se

William Kline
Baton Rouge, Louisiana

Counsel for Defendant-Appellee
Louisiana Department of Public
Safety and Corrections

BEFORE: PARRO, KUHN, AND PETTIGREW, JJ.

Disposition: AFFIRMED.

KUHN, J.

Plaintiff-appellant, Michel Dixon, an inmate in the custody of the Department of Public Safety and Corrections, appeals the district court's judgment dismissing his petition for judicial review, without prejudice, for lack of subject matter (appellate) jurisdiction. Mindful that plaintiff has not filed a petition seeking a mandamus to have any responsible party directed to respond to a timely and properly filed ARP request, we find no error in the conclusion of the district court that he has failed to exhaust administrative remedies as required under La. R.S. 15:1172, 1176, and 1178. Thus, the district court judgment is affirmed in accordance with La. Uniform Rules of the Courts of Appeal—Rule 2.16.2A(1), (2), (5), and (6). Appeal costs are assessed against plaintiff-appellant, Michel Dixon.

AFFIRMED.