

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION**

**O'NEIL J. DARDEN, JR.** : **CIVIL ACTION NO. 6:22-cv-0404 LEAD  
6:22-cv-1398 MEMBER**

**VERSUS** : **JUDGE ROBERT R. SUMMERHAYS**

**ROBERT C. VINES, ET AL.** : **MAGISTRATE JUDGE KAY**

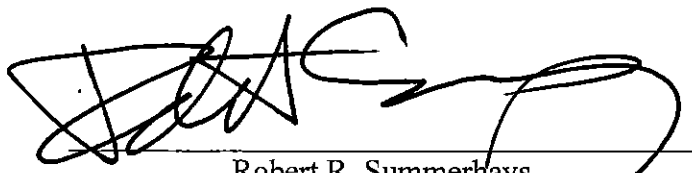
**JUDGMENT**

For the reasons stated in the Report and Recommendation [doc. 42] of the Magistrate Judge previously filed herein and after an independent review of the record and consideration of the objections filed herein, and having determined that the findings are correct under applicable law,

IT IS ORDERED that defendant's Motion to Dismiss [doc. 18] is GRANTED IN PART. The Motion to Dismiss for Lack of Subject Matter Jurisdiction is GRANTED. We make no finding as to defendants' arguments that the Complaint [doc. 4] fails to state a claim.

IT IS FURTHER ORDERED that all claims against defendants April Wyatt, Melissa Darden, John Paul Darden, Jacob Darden, Toby Darden, and Jacqueline Junca in the above captioned matter be, and the same are hereby, DISMISSED WITHOUT PREJUDICE.

THUS DONE in Chambers on this 31<sup>st</sup> day of March, 2023.

  
Robert R. Summerhays  
United States District Judge