

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

GEORGE K. HENAGAN

CASE NO. 6:21-CV-03946

VERSUS

JUDGE ROBERT R. SUMMERHAYS

CITY OF LAFAYETTE, ET AL.

MAGISTRATE JUDGE WHITEHURST

JUDGMENT

Before the Court are motions to dismiss filed on behalf of each Defendant in this case, as well as a motion for Rule 11 sanctions filed by Defendant Mayor-President Josh Guillory. [ECF Nos. 22, 54, 55, 57, 58]. The motions were referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation. After an independent review of the record, including the objections filed, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own, subject to the modification of the recommendations as set forth below. Accordingly,

IT IS ORDERED that the Motion to Dismiss filed by Greg Logan [ECF No. 57] is **GRANTED**, and all claims asserted by Plaintiff against Greg Logan are hereby **DENIED** and **DISMISSED** with prejudice.

IT IS FURTHER ORDERED that, consistent with the report and recommendation, the Motion to Dismiss [ECF No. 55] and the Motion for Sanctions [ECF No. 22] filed by Mayor-President Josh Guillory are **DENIED**. The Motion to Dismiss filed by Chief Scott Morgan and Officer Joshua Myers [ECF No. 58] is **DENIED**. The Motion to Dismiss filed by Lafayette City-Parish Consolidated Government [ECF No. 54] is **DENIED**.

IT IS FURTHER ORDERED that this matter is **REMANDED** to the Magistrate Judge for: (1) issuance of a discovery order “narrowly tailored to uncover only those facts needed to rule on the immunity claim[s]” of Mayor Guillory, Chief Morgan and Officer Myers, and (2) imposition of a deadline for completion of the forgoing discovery.¹ Following the conclusion of the forgoing discovery, Mayor Guillory, Chief Morgan and/or Officer Myers may re-urge their motions to dismiss based upon qualified immunity, or they may file new dispositive motions on the basis of qualified immunity.

IT IS FURTHER ORDERED that the Plaintiff shall amend his complaint to briefly and succinctly identify the particular claims asserted against each remaining defendant in this case. Such amendment shall be filed on or before September 28, 2022.

THUS DONE in Chambers on this 27th day of September, 2022.



ROBERT R. SUMMERHAYS
UNITED STATES DISTRICT JUDGE

¹ *Hinojosa v. Livingston*, 807 F.3d 657, 664 (5th Cir. 2015) (quoting *Backe v. LeBlanc*, 691 F.3d 645, 648 (5th Cir. 2012)).