

**NOT DESIGNATED FOR PUBLICATION**

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

NUMBER 2006 CA 1349

EDWARD SIMMONS

VERSUS

WARDEN BURL CAINE, WARDEN SHIRLEY COODY, GREGORY MCKEY, DORA RABALAIS, RONNY CONSTANCE, CHAD HUKINS, PATRICK WOOD, SGT. JOSEPH JACKSON, SGT. STOVALL, SGT. MARTIN, LT. HALL, SGT. JANNY MAY AND WARDEN SMITH, EMPLOYEES OF LOUISIANA STATE PENITENTIARY

*ESJ*  
*WJW*  
*JMM*

Judgment Rendered: May 4, 2007.

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Appealed from the Nineteenth Judicial District Court  
in and for the Parish of East Baton Rouge,  
State of Louisiana  
Suit Number 514,347

The Honorable Janice Clark, Judge

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Edward Simmons  
Angola, La.

Plaintiff/Appellant,  
In Proper Person

L. Bruce Dodd  
Baton Rouge, La.

Counsel for Defendant/Appellee,  
Richard Stalder

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BEFORE: CARTER, C.J., WHIPPLE AND MCDONALD, JJ.

**CARTER, C.J.**

Plaintiff/Appellant, Edward Simmons, an inmate in the custody of the Louisiana Department of Public Safety and Corrections, filed a petition for judicial review of a final agency decision rendered under the Corrections Administrative Remedy Procedure Act.<sup>1</sup>

Following de novo review and in accordance with the Commissioner's recommendation, the district court dismissed plaintiff's petition for judicial review with prejudice. Simmons appeals. After considering the record, we conclude that Simmons is not entitled to relief under LSA-R.S. 15:1177A(9), and we agree with the district court's conclusion that Simmons's petition for judicial review should be dismissed with prejudice. Finding the Commissioner's Recommendation adequately explains the decision of this court, we affirm the district court's judgment by summary disposition in accordance with Rule 2-16.2A(5) of the Uniform Rules of Louisiana Courts of Appeal. Costs of this appeal are assessed to plaintiff/appellant, Edward Simmons.

**AFFIRMED.**

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<sup>1</sup> In his petition, plaintiff improperly spelled the name of Warden Burl Cain.