N DISTRICT OF TEXAS
N NO. 1:09-CV-427

## **MEMORANDUM ORDER**

The court referred this matter to United States Magistrate Judge Keith F. Giblin for consideration and recommended disposition of case-dispositive pretrial motions. On July 22, 2011, Judge Giblin issued a report and recommendation on the defendants' motions for summary judgment. He recommended that the Court grant the motions and dismiss the plaintiff's claims in their entirety.

No party has objected to the magistrate judge's recommendation. After review, the Court finds that Judge Giblin's findings and recommendations should be accepted.

Based upon the magistrate judge's findings of fact and recommended disposition, the Court ORDERS that the report and recommendation (#33) is ADOPTED.

The Court further ORDERS that the defendants' motions for summary judgment (#27, #28) are GRANTED. The Court will enter final judgment separately.

SIGNED at Beaumont, Texas, this 18th day of August, 2011.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE

Maria a. Crono