

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

CHARLES WILLIAM MOTTON, III

Plaintiff,

versus

BUREAU OF PRISONS, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:17-CV-453

MEMORANDUM OPINION AND ORDER

Plaintiff, Charles William Motton, III, an inmate currently confined at the FCI Forrest City, proceeding *pro se* and *in forma pauperis*, brings this civil action pursuant to the Federal Tort Claims Act against several defendants.

The court referred this matter to the Honorable Keith Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends plaintiff’s claims against the United States pursuant to the Federal Tort Claims Act should be dismissed for lack of subject matter jurisdiction. In addition, the Magistrate Judge recommends plaintiff’s claims against the individual defendants should be dismissed as frivolous and for failure to state a claim.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, and pleadings. No objections to the Report and Recommendation have been filed to date.¹

¹ Plaintiff received a copy of the Report and Recommendation on November 18, 2020 (docket entry no. 21). Plaintiff sought two extensions to file Objections which were granted. Despite these extensions, plaintiff has yet to file Objections to the Report and Recommendation.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. A Final Judgment will be entered in accordance with the recommendations of the Magistrate Judge.

SIGNED at Beaumont, Texas, this 3rd day of March, 2021.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE