

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

JOSEPH BELL §
VS. § CIVIL ACTION NO. 9:18-CV-70
RIKERS ISLAND WARDEN, et al., §

MEMORANDUM OPINION AND ORDER
OVERRULING OBJECTIONS AND ADOPTING REPORT AND RECOMMENDATION

Plaintiff, Joseph Bell, an inmate currently confined at the Eastham Unit with the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against the following defendants: Rikers Island Warden, Blaines Court, Warden Bruce A. Johnson, Correctional Officer Susan A. Steels, Joanne R. Turner, Kelly D. Prater, and Beth Pipkens.

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 this action be dismissed as frivolous and for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(b).

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the records, and pleadings. Plaintiff filed objections to the Report and Recommendation of United States Magistrate Judge. This requires a *de novo* review of the objections in relation to the pleadings and applicable law. *See* FED. R. CIV. P. 72(b).


As outlined by the Magistrate Judge, plaintiff does not present a logical set of facts which would enable the court to determine the factual or legal basis for any cause of action. Plaintiff filed numerous pieces of correspondence after the Report and Recommendation which this Court liberally construes as objections. *See* Docket Entry Nos. 7, 8, 9, 11, 12, 13, 14, 15, 17, 18 and 19. A review

of these pleadings reveals that plaintiff continues to recite fantastic charges which are incomprehensible. Plaintiff's claims are without an arguable basis in fact or law.

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. 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.

So ORDERED and SIGNED January 3, 2019.



Ron Clark, Senior District Judge