

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RAYMOND CHRISTOPH,

Plaintiff,

v.

C. YOUNG, et al.,

Defendants.

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Civil Action No. **3:12-CV-2152-L**

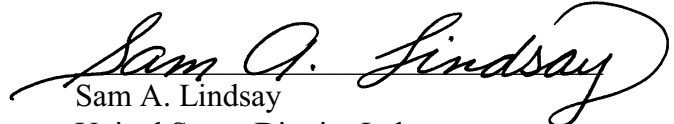
ORDER

Upon remand from the Fifth Circuit Court of Appeals, Magistrate Judge David L. Horan entered Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) on August 22, 2014, recommending that the court: (1) dismiss Plaintiff’s claims under 42 U.S.C. § 1983 for alleged Fourth and Fourteenth Amendment violations pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief may be granted; and (2) allow Plaintiff’s First Amendment claim against Sergeant C. Young to proceed. The magistrate judge also recommends that the United States Marshal effect service on Sergeant C. Young pursuant to Federal Rule of Civil Procedure 4(c)(3). No objections to the court were filed.

After considering the pleadings, file, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **dismisses with prejudice** Plaintiff’s claims under 42 U.S.C. § 1983 for alleged Fourth and Fourteenth Amendment violations pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief may be granted. The court will allow Plaintiff’s First Amendment freedom of expression claim against Sergeant C. Young to proceed and **directs** the

United States Marshal to effect service on Sergeant C. Young in accordance with Federal Rule of Civil Procedure 4(c)(3) by serving a copy of a summons, Plaintiff's Complaint, and this order.

It is so ordered this 7th day of October, 2014.


Sam A. Lindsay
United States District Judge