

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

LARRY A. SERMENO,)	
)	
Plaintiff,)	
)	
vs.)	No. CIV-16-1196-C
)	
JOE M. ALLBAUGH, et al.,)	
)	
Defendants.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

This civil rights action brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Shon T. Erwin, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Erwin entered a Report and Recommendation on April 26, 2018, to which Plaintiff has timely objected. The Court therefore considers the matter de novo.

Plaintiff's argument that the Full Faith & Credit Clause of the United States Constitution, U.S. Const. art. IV, § 1, requires Oklahoma to follow California policy regarding inmate correspondence misperceives the purpose and scope of that Clause. It simply does not apply to prison rules and policies. See Day v. Norris, 219 F. App'x 608 (8th Cir. 2007). Beyond that, Plaintiff merely restates the conclusions and legal arguments originally asserted, and raises no issue not fully and accurately addressed and rejected by the Magistrate Judge.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons announced therein, Plaintiff's First Amendment access to courts claim is dismissed, without prejudice; judgment will enter on Plaintiff's

Equal Protection claim; and judgment will enter on Defendants' claim of qualified immunity on Plaintiff's First Amendment challenge to Oklahoma Department of Corrections' policy.

IT IS SO ORDERED this 24th day of May, 2018.



ROBIN J. CAUTHRON
United States District Judge