

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

SHIRLEY A. CHARLES

§

VS.

§

CIVIL ACTION NO. 1:98cv2041

DIRECTOR, TDCJ-CID

§

MEMORANDUM OPINION AND ORDER

Petitioner Shirley A. Charles, an inmate confined in the Carole Young Medical Facility of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

The petition was dismissed as barred by limitations on December 29, 1998. Petitioner's motion for certificate of appealability was denied by the United States Court of Appeals for the Fifth Circuit on September 10, 1999. *Charles v. Johnson*, No. 99-40079 (5th Cir. Sept. 10, 1999) (unpublished).

Petitioner has also filed motions for relief from judgment which were denied. Petitioner's motion for certificate of appealability was denied by the Fifth Circuit Court of Appeals on February 28, 2008. Petitioner's petition for writ of certiorari was dismissed by the Supreme Court on May 19, 2008.

Pending before the court are petitioner's objections to the magistrate judge's order denying her motions to amend the original petition (docket entry no. 40 and 41). This memorandum considers such objections and the motions.

Analysis

In accordance with 28 U.S.C. § 636(b)(1)(A), a judge of the court may reconsider any pretrial matter referred to a magistrate judge under subparagraph (A) where it has been shown that the magistrate judge's order is clearly erroneous or contrary to law.

Having examined the allegations in petitioner's objections and the file in this action, the undersigned finds no support for petitioner's objections. The magistrate judge has attempted to process this action in a reasonable manner, and the order complained of was neither clearly erroneous nor contrary to law.


ORDER

For the reasons set forth above, petitioner's objections to the magistrate judge's order are hereby overruled. It is therefore

**ORDERED** that petitioner's objections are **OVERRULED** and petitioner's appeal of the magistrate judge's order is **DENIED**. Accordingly, it is

**ORDERED** that petitioner's motions to amend are **DENIED**. Further, the Clerk of Court is directed to return, unfiled, any additional documents filed by petitioner in this cause number, except a notice of appeal and a motion to appeal *in forma pauperis*.

**SIGNED this the 14th day of August, 2014.**



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RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE