
 UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

MONTY SHELTON,

Plaintiff,

*versus*UNIT COUNSELOR LEON, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:06-CV-344

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Monty Shelton, an inmate confined at the Federal Correctional Complex, proceeding *pro se*, brought this *Bivens*-type action.¹

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends the defendants' motion for summary judgment be granted and the complaint be dismissed.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

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See Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics, 403 U.S. 388 (1971).

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**. It is therefore

ORDERED that the defendants' motion for summary judgment is **GRANTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

SIGNED at Beaumont, Texas, this 28th day of September, 2008.

Marcia A. Crone

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE