

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

PATRICIA POTTS

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§
§

V.

1:07-CV-632

STATE OF TEXAS, ET AL.

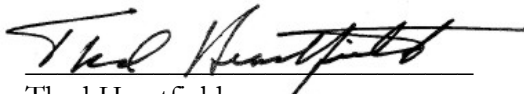
**ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

The court referred this matter to the Honorable Earl S. Hines, United States magistrate judge, for pretrial proceedings pursuant to General Order 05-07. Judge Hines recused himself pursuant to 28 U.S.C. § 455(b), and transferred the action to the Honorable Keith F. Giblin, United States magistrate judge, under General Order 07-03. The court has received and considered the report of the United States magistrate judge, who recommends that the court dismiss plaintiff's case as malicious and frivolous.

The magistrate judge's report is hereby **ADOPTED**. The purpose of the referral having been served, it is further

ORDERED that the reference to the magistrate judge is **VACATED**.

SIGNED this the 26 day of **September, 2008**.



 Thad Heartfield
 United States District Judge