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

STANLEY F. FARR	§	
	§	
V.	§	1:07-CV-700
	§	
J. VAILLAN and JIM NICHOLSON	§	

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. The court has received and considered the report of the United States magistrate judge, who recommends that the court dismiss plaintiff's case without prejudice for lack of subject matter jurisdiction and for failure to state a claim. No objections to the report and recommendation have been filed. Further, the court's independent review confirms that the magistrate judge's analysis is correct.

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 3 day of October, 2008.

Thad Heartfield

United States District Judge