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**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF TEXAS**

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JEREMY LEE CONLIN,

Plaintiff,

*versus*

TDCJ-CID, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:08-CV-92

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

Plaintiff Jeremy Lee Conlin, a prisoner confined at the Stiles Unit of the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), proceeding *pro se* and *in forma pauperis*, brought this civil rights action pursuant to 42 U.S.C. § 1983.

The court ordered that this matter be referred 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 dismissing the claims against TDCJ-CID pursuant to 28 U.S.C. § 1915(e).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence. Plaintiff filed objections to the Report and Recommendation of United States Magistrate Judge. In his objections, plaintiff moved to dismiss the claims against TDCJ-CID. After due consideration, the court is of the opinion that the motion should be granted, and the claims against TDCJ-CID should be dismissed pursuant to Federal Rule of Civil Procedure 41(a)(1).

ORDER

Accordingly, the plaintiff's motion to dismiss the claims against TDCJ-CID is **GRANTED**. The report of the magistrate judge is **ADOPTED** to the extent that it recommends dismissing the claims against TDCJ-CID. A partial judgment will be entered in this case in accordance with this memorandum order.

SIGNED at Beaumont, Texas, this 21st day of July, 2009.

*Marcia A. Crone*

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE