

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

FREDDIE L. WALKER, SR.
d/b/a Walker’s Empire Professional
Janitorial Service

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V.

NO. 1:08-CV-417

UNIVERSITY OF TEXAS MEDICAL
BRANCH, ET AL.

ORDER ADOPTING UNITED STATES MAGISTRATE JUDGE’S REPORT

The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, for pretrial proceedings pursuant to General Order 05-07 entered on July 31, 2008. The court has received and considered the report of the United States magistrate judge, who recommends that (1) the court dismiss *sua sponte* and without prejudice plaintiff’s purported federal claims for failure to state a claim upon which relief can be granted and (2) the court dismiss all remaining claims governed by state law for lack of original, subject-matter jurisdiction. No objections have been filed. Further, the court’s independent review confirms that the magistrate judge’s findings, conclusions and analysis are correct.

Accordingly, the magistrate judge’s report is hereby **ADOPTED**. It is further

ORDERED that, consistent with the magistrate’s report and recommendation, plaintiff’s purported federal claims are **DISMISSED** without prejudice. It is further

ORDERED that plaintiff’s remaining state claims are **DISMISSED** without prejudice for lack of jurisdiction.

Final Judgment will be entered separately. The purpose of the referral having been served,
it is further

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

So **ORDERED** and **SIGNED** this **7** day of **August, 2009**.

A handwritten signature in black ink, appearing to read "Ron Clark". The signature is written in a cursive, flowing style.

Ron Clark, United States District Judge