



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

MICHAEL M. GOODALL,
Plaintiff,

v.

CITY OF BEAUMONT,
Defendant.

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CIVIL ACTION NO: 1:09-CV-295

**MEMORANDUM ORDER
ADOPTING REPORT AND OF DISMISSAL**

Pursuant to 28 U.S.C. § 636(b)(1)(A) and the Local Rules for the United States District Court, Eastern District of Texas, Appendix B, the Court referred this matter to United States Magistrate Judge Keith F. Giblin for consideration and recommended disposition on case-dispositive pretrial motions.

On October 5, 2009, Judge Giblin issued a report and recommendation (#16). Judge Giblin recommended that the court dismiss the plaintiff's claims with prejudice for want of prosecution.

No party has filed objections to the magistrate judge's report in accordance with 28 U.S.C. § 636(b). The Court has reviewed the record in this cause and concludes that Judge Giblin's findings and recommendation should be accepted.

Based upon the magistrate judge's findings, the Court **ORDERS** that the report and recommendation (#16) is **ADOPTED**. The Court further **ORDERS** that the plaintiff's claims are **DISMISSED** with prejudice for want of prosecution. This civil action is **CLOSED**. All pending motions not addresses herein are **DENIED** as **MOOT** at this time.

SIGNED this the 26 day of **October, 2009**.

Thad Heartfield
United States District Judge