

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

JASON B. BEST §
VS. § CIVIL ACTION NO. 1:10-CV-142
T. C. OUTLAW, ET AL. §

MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Jason B. Best, a federal prisoner previously confined in Beaumont, Texas, proceeding *pro se*, filed this civil rights action pursuant to *Bivens v. Six Unknown Agents of the Federal Bureau of Narcotics*, 403 U.S. 388 (1971), against T. C. Outlaw, Gerardo Maldonado, Bruce Sasser, Joyce Conley, Harley G. Lappin, and unidentified defendants.

The court ordered that this matter be referred to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge. The magistrate judge recommends dismissing the case without prejudice.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case

in accordance with the magistrate judge's recommendation. The Clerk of Court is directed to file the complaint (document no. 1) as an amended complaint in Cause No. 1:07-CV-426.

So **ORDERED** and **SIGNED** this **6** day of **May, 2010**.

A handwritten signature in cursive script, appearing to read "Ron Clark".

Ron Clark, United States District Judge