

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

THY CHANN §  
VS. § CIVIL ACTION NO. 1:10-CV-168  
UNITED STATES OF AMERICA §

ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND ADOPTING  
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Thy Chann, a federal prisoner previously confined in Beaumont, Texas, proceeding *pro se*, filed this civil action pursuant to the Federal Tort Claims Act (FTCA) against the United States of America.

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 granting defendant's motion for summary judgment and dismissing the case with 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. Plaintiff filed objections to the Report and Recommendation of United States Magistrate Judge.

The Court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the Court concludes the objections are without merit.

**ORDER**

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. Defendant's motion for summary judgment is **GRANTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

So **ORDERED** and **SIGNED** this **28** day of **March, 2013**.



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Ron Clark, United States District Judge