

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

BRUCE POLK §  
VS. § CIVIL ACTION NO. 1:11-CV-558  
SHERRIE JOHN QUINN, ET AL. §

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

Plaintiff Bruce Polk, a former prisoner, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Sherrie John-Quinn and Lakeshia Hebert.

The Court ordered that this matter be referred to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The magistrate judge recommends granting defendants' motions for summary judgment with respect to the claims against them in their official capacities and denying the motions on the remaining grounds.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and the pleadings. Plaintiff filed objections to the magistrate judge's Report and Recommendation.

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, the 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**. Defendants' motions for summary judgment (document nos. 24 and 53) are **GRANTED** with respect to the claims against them in their official capacities and the motions are, in all other respects, **DENIED**.

**SIGNED** this the 7 day of **August, 2013**.

A handwritten signature in black ink, appearing to read "Thad Heartfield", written over a horizontal line.

Thad Heartfield  
United States District Judge