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**UNITED STATES DISTRICT COURT**
**EASTERN DISTRICT OF TEXAS**


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CURTIS LEE SHEPPARD,

Plaintiff,

*versus*BRAD LIVINGSTON, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:12-CV-169

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

Plaintiff Curtis Lee Sheppard, an inmate confined within the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights lawsuit. The court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court.

Plaintiff has filed a motion seeking a preliminary injunction. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending the motion be denied.

The court has received the Report and Recommendation, along with the record, pleadings, and all available evidence. Plaintiff filed objections to the Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and applicable law. After careful consideration, the court is of the opinion 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**. Plaintiff's motion for a preliminary injunction is **DENIED**.

SIGNED at Beaumont, Texas, this 28th day of February, 2014.

*Marcia A. Crone*

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE