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

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TYRONE NUNN, SR., §  
§  
Plaintiff, §  
§  
versus § CIVIL ACTION NO. 1:13-CV-216  
§  
§  
WARDEN VASQUEZ, §  
§  
Defendant. §

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

Plaintiff Tyrone Nunn, an inmate confined at the Federal Correctional Institution at Beaumont, Texas, proceeding *pro se*, filed the above-styled 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. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning this matter. The magistrate judge recommends this lawsuit be dismissed without prejudice pursuant to 28 U.S.C. § 1915(g).

The court has received the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. No objections were filed to the magistrate judge's Report and Recommendation.

## 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 dismissing this lawsuit.

**Signed this date.**

**Jun 4, 2013**

*Marcia A. Crone*

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE