

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

HUEY P. WALTERS, *et al.*,

Plaintiffs,

v.

BG FOODS, INC. (MCDONALD'S #4723),

Defendant.

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CIVIL ACTION NO. 1:14-CV-96

ORDER ADOPTING
REPORT AND RECOMMENDATION ON PARTIAL DISMISSAL

The Court referred this matter to United States Magistrate Judge Keith F. Giblin for consideration of and recommended disposition on case-dispositive pretrial motions. On March 5, 2015, Judge Giblin issued his report and recommendation in which he recommended that the Court grant the defendant's motion for partial dismissal [Doc. #15] and dismiss plaintiff Anthony Hall's claims in this case without prejudice.

The Court has received and considered the report of the United States Magistrate Judge, along with the record and pleadings. No party has filed objections to the magistrate judge's report. After review, the Court finds that Judge Giblin's findings and recommendations should be accepted.

The Court **ORDERS** that the Report and Recommendation [Doc. #43] is **ADOPTED**. The Court further **ORDERS** that the defendants' motion for partial dismissal [Doc. #15] is **GRANTED**, and the claims asserted by plaintiff Anthony Hall, are **DISMISSED** in their entirety, without prejudice.

The Clerk is directed to terminate Mr. Hall as an active party plaintiff. The remainder of the

claims asserted in this case by plaintiff Huey P. Walters against defendant remain pending at this time.

So **ORDERED** and **SIGNED** this **30** day of **March, 2015**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

Ron Clark, United States District Judge