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**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF TEXAS**

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KENNETH N. CAIN,  
  
Plaintiff,

*versus*

OFFICER RANGEL, *et al.*,  
  
Defendants.

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CIVIL ACTION NO. 1:15-CV-405

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

Plaintiff Kenneth N. Cain, a prisoner confined at the Jefferson County Jail, proceeding *pro se*, brought this civil rights action pursuant to 42 U.S.C. § 1983.

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 denying plaintiff’s motion for default judgment.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

**ORDER**

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge (#47) is **ADOPTED**. Plaintiff's motion for default judgment (#43) is **DENIED**.

SIGNED at Beaumont, Texas, this 30th day of November, 2016.



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE