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


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RAMIRO CANALES,

Plaintiff,

*versus*VIVIAN L. DAVIS, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:16-CV-140

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

Plaintiff, Ramiro Canales, an inmate confined at the Mark Stiles Unit, with the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against several defendants.

The court referred this matter to the Honorable Keith Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends plaintiff's claims against defendants Davis, Bassett, Livingston, Powell, Woodard, Baldwin, Schuyler, Conley, Brown, Boykin and John/Jane Doe I should be dismissed pursuant to Federal Rule of Civil Procedure 41(a)(1) without prejudice.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, and pleadings. No objections to the Report and Recommendation have been filed to date.<sup>1</sup>

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<sup>1</sup> Plaintiff received a copy of the Report and Recommendation on July 5, 2017 (docket entry no. 20).

**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 partial judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

SIGNED at Plano, Texas, this 25th day of July, 2017.



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE