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

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TOM RAPER, JR.,

Plaintiff,

*versus*WARDEN VINCENT, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:16-CV-513

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

Plaintiff, Tom Raper, Jr., an inmate confined at the Mark Stiles Unit with the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against defendants Warden Vincent, Warden Allen, Sergeant Stuart and Sergeant Harris.

The court 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 recommends plaintiff's civil rights action be dismissed pursuant to Federal Rule of Civil Procedure 41(a).

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.

## 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 in this case in accordance with the Magistrate Judge's recommendations.

SIGNED at Beaumont, Texas, this 30th day of June, 2017.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE