

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

JEREMY SPENCER

§

VS.

§

CIVIL ACTION NO. 1:17cv43

ERICA J. HAYES, ET AL.

§

ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Jeremy Spencer, proceeding *pro se*, filed the above-styled lawsuit against several defendants, including Welona Williams. The Court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for consideration pursuant to applicable orders of this court.

Defendant Williams has filed a motion to dismiss (doc. no. 20). The Magistrate Judge has submitted a Report and Recommendation granting the motion to dismiss because plaintiff failed to state a claim against defendant Williams upon which relief could be granted.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings. Plaintiff filed objections to the Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. After careful consideration, the court is of the opinion the objections are without merit. Plaintiff alleges defendant Williams prevented him from filing grievances. However, as an inmate does not have a constitutionally protected right of access to a grievance procedure, plaintiff's allegations against defendant Williams fail to state a claim upon which relief may be granted. *Samuels v. Hay*, 128 F. App'x 395, 396 (5th Cir. 2005).

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. The motion to dismiss filed by defendant Williams is **GRANTED** and defendant Williams is **DISMISSED** from this lawsuit.

So **ORDERED** and **SIGNED** this **14** day of **August, 2018**.



Ron Clark, Senior District Judge