

174 F.3d 530, 537 (5th Cir. 1999); *Norton v. Dimazana*, 122 F.3d 286, 292 (5th Cir. 1997). Plaintiff has not shown that the defendants were deliberately indifferent to his serious medical needs. *Farmer v. Brennan*, 511 U.S. 825, 832 (1994). Plaintiff also alleges the defendants retaliated against him for filing grievances. The retaliation claim does not state a claim upon which relief may be granted because plaintiff did not allege any facts demonstrating that the defendants intended to retaliate against him for exercising a constitutional right. *Morris v. Powell*, 449 F.3d 682, 684 (5th Cir. 2006). Therefore, the Magistrate Judge correctly concluded that this action should be dismissed as frivolous and for failure to state a claim upon which relief may be granted.

ORDER

Accordingly, plaintiff's objections (document no. 25) are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge (document no. 23) is **ADOPTED**. Defendants' motion to dismiss (document no. 15) is **GRANTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

So **ORDERED** and **SIGNED** this 17 day of **July, 2018**.



Ron Clark, United States District Judge