

KELVIN ANDRE SPOTTS §
VS. § CIVIL ACTION NO. 1:17-CV-225
UNITED STATES OF AMERICA §

action and filing the new complaint in civil action number 1:07-CV-159. Plaintiff also filed objections to the second report, and he requested that this action be consolidated with cause number 1:17-CV-224. This action and cause number 1:17-CV-224 both concern the conditions of confinement at the federal prison in Beaumont Texas after Hurricane Rita made landfall in 2005. Both actions are clearly barred by the statute of limitations. Therefore, the motion to consolidate the actions will be denied, and this action will be dismissed as barred by the statute of limitations.

ORDER

Accordingly, plaintiff's objections (document no. 4) 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. 2) is **ADOPTED**. Plaintiff's motion to consolidate (document no. 6) is **DENIED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

So Ordered and Signed

Aug 17, 2017



Ron Clark, United States District Judge