

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

JOHN HAMPTON,

Petitioner,

versus

SHERIFF BOBBY RADER,

Respondent.

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CIVIL ACTION NO. 1:17-CV-341

**MEMORANDUM ORDER PARTIALLY OVERRULING OBJECTIONS AND
ADOPTING THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

Petitioner, John Hampton, a former pre-trial detainee confined at the Liberty County Jail, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

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 denying the petition for writ of habeas corpus for failure to exhaust administrative remedies.

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. Petitioner filed objections to the Magistrate Judge’s Report and Recommendation. This requires a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b).

After a careful review, this court finds the objections lacking in merit. Petitioner has since been convicted and is now incarcerated at the Huntsville Unit with the Texas Department of Criminal Justice. Petitioner's claim regarding the denial of bond is now moot.¹

ORDER

Accordingly, the objections of the plaintiff are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **PARTIALLY ADOPTED** to the extent it recommends dismissal. A Final Judgment will be entered in accordance with the recommendations of the Magistrate Judge.

SIGNED at Beaumont, Texas, this 21st day of August, 2018.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE

¹ Petitioner's claims contesting the conviction have been severed by separate order and will proceed as a separate 28 U.S.C. § 2254 petition against the Director of TDCJ-CID.